

**Security Council**

Distr.: General
11 October 2012

Original: English

Letter dated 11 October 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to my letter dated 2 October 2012 regarding the hostile statement issued by the Sudan Liberation Movement, Northern Sector (SPLM-N) which implicitly threatened the implementation of the Security Agreement between the Government of the Sudan and the Government of the Republic of South Sudan, I once again, regrettably, convey to you, and through you to the members of the esteemed Council that SPLM-N carried out an indiscriminate mortar shelling in Kadugli, the capital of South Kordofan, on 8 October 2012. The attacks coincided with the start of the Kadugli Consultative Forum on Peace Issues, which was attended by more than 15 Sudanese political parties.

The desperate attacks carried out by SPLM-N resulted in the death of seven innocent civilians and the injury of twenty-two others. The victims who lost their lives in the attacks are as follows:

1. Kura Hassan Saeed
2. Aisha Ibrahim Khairalla
3. Thorayah El-Khidir Makki Tutu
4. Nusaibah Awadalla (student)
5. Mohamed Yousif (child of 7 months only)
6. Manazil Matir (child)
7. Hussein Kuku (child)

Having brought these serious developments to your kind attention, I would like to reiterate that SPLM-N is continuously trying to undermine all the agreements signed by the Government of the Sudan and the Government of the Republic of South Sudan. No doubt, the aim of the recent heinous attacks against Kadugli and against the offices of the United Nations Children's Fund in the city by SPLM-N is to complicate and obstruct the channelling of humanitarian assistance to the needy people in South Kordofan, which will lead to the worsening of the humanitarian situation.

I also have the honour to enclose herewith a statement regarding the implementation of the tripartite humanitarian initiative issued by the tripartite partners, which shows that SPLM-N has not yet provided its views regarding the



commencement of the channelling of humanitarian assistance. This is further proof that SPLM-N is complicating and obstructing the implementation of the tripartite initiative. We therefore call on the Security Council to hold SPLM-N responsible for its outrageous violation of Security Council resolution 2046 (2012) and to take the necessary measures in this regard.

You are kindly requested to circulate this letter and its annex as a document of the Security Council.

(Signed) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

Annex to the letter dated 11 October 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Statement on the implementation of the tripartite initiative

The tripartite partners and the Government of the Sudan held a series of meetings at the level of the coordination and the technical committees to adopt the necessary steps towards the implementation of the memorandum of understanding signed between the two sides on 5 August 2012.

At the meetings it was concluded, at the request of the Government of the Sudan, that the tripartite partners would prepare an action plan for needs assessment and distribution of humanitarian aid to war-affected civilians in the South Kordofan and Blue Nile states. The plan, which was communicated to the Government on 8 October 2012, is based on data and information provided by the Government of the Sudan.

Based on the plan, and once the Government's final views with regard to it are obtained, it is expected that the tripartite partners will proceed within the framework of coordination and consultation with the Government of the Sudan for immediate implementation on the ground.

In addition, within the framework of the memorandum of understanding signed on 4 August 2012 by the tripartite partners and the Sudan Liberation Movement, Northern Sector (SPLM-N), the tripartite partners had simultaneous contact with SPLM-N to inform it of the conclusions that had been reached and to seek its views in that regard.

In fact, the tripartite partners have endeavoured for approximately 10 days, through multiple channels of communication, to obtain the views and observations of SPLM-N.

The tripartite partners look forward to getting the response by SPLM-N indicating its views and observations, at the earliest time. Taking into consideration the humanitarian situation of the war-affected civilians in both states, which cannot tolerate any delays, the option for immediate commencement of the implementation of the action plan in the locations where the Government has confirmed its ability to secure the distribution and assessment teams, strongly presents itself. There remains, once the views and observations of SPLM-N are received, the need to secure the teams that will operate in areas under its control.

The implementation of the assessment and distribution plan requires a commitment to a ceasefire and a cessation of hostilities from both sides, as provided for in the two memorandums of understanding. This is a requirement necessitated by the humanitarian situation in the two states and would promote the achievements made in Addis Ababa on 27 September 2012, at the last round of negotiations between the Sudan and South Sudan. These positive outcomes have encouraged the partners to appeal to both sides and to urge them to take a positive decision.

Regrettably, reports of shelling in the city of Kadugli on 8 October 2012, which resulted also in a mortar shell falling in a compound occupied by the United Nations, could adversely affect the chances of activating the tripartite initiative on the ground and with the desired speed.

**General Assembly
Security Council**

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15 October 2012

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**General Assembly
Sixty-seventh session**

Agenda item 94 (k)

**General and complete disarmament: Mongolia's
international security and nuclear-weapon-free status**

**Security Council
Sixty-seventh year**

**Letter dated 10 October 2012 from the Permanent Representative of
Mongolia to the United Nations addressed to the Secretary-General**

I have the honour to transmit the declaration by Mongolia regarding its nuclear-weapon-free status signed on 17 September 2012 (see annex) in parallel with the joint declaration of the People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on Mongolia's nuclear-weapon-free status (A/67/393-S/2012/721).

I should be grateful if you would have the present letter and the annex thereto circulated as a document of the General Assembly, under agenda item 94 (k), and of the Security Council.

(Signed) **Od Och**
Ambassador
Permanent Representative

12-54888 (E) 181012



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Annex to the letter dated 10 October 2012 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

Declaration by Mongolia regarding its nuclear-weapon-free status

Emphasizing that in its foreign policy Mongolia sets the goal of pursuing its national interests, developing friendly cooperation with all the countries of the world as well as actively contributing, to the extent possible, to the efforts of the international community to strengthen peace and security,

Emphasizing also that, with respect to its two neighbouring States, Mongolia is pursuing the policy of maintaining balanced and friendly relations and developing broad cooperation,

Welcoming the Joint Declaration of the People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America on Mongolia's Nuclear-Weapon-Free Status, signed on 17 September 2012,

Noting in particular the intent of those States, expressed in their joint declaration of 17 September 2012, as long as Mongolia maintains its nuclear-weapon-free status, to respect that status and not to contribute to any act that would violate it,

Mongolia declares as follows:

1. Mongolia is pursuing a policy of refraining from joining any military alliance or grouping, or allowing the use of its territory against any other State as well as banning the stationing on its territory of foreign troops and weapons, including nuclear and other weapons of mass destruction.
2. Mongolia confirms that as a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons it has fully complied with, in particular, the commitments set out in article II of that Treaty, and that, pursuant to the Law of Mongolia on its Nuclear-Weapon-Free Status, which entered into force on 3 February 2000, Mongolia also has the domestic legal status of being free from all nuclear weapons.
3. Mongolia confirms that, pursuant to Mongolia's law on its nuclear-weapon-free status, committing, initiating or participating in the following acts or activities relating to nuclear weapons is prohibited on the territory of Mongolia:
 - (a) Developing, manufacturing, or otherwise acquiring, possessing or having control over nuclear weapons;
 - (b) Stationing or transporting nuclear weapons by any means;
 - (c) Testing or using nuclear weapons;
 - (d) Dumping or disposing of nuclear-weapons-grade radioactive material or nuclear waste;
 - (e) Transporting through the territory of Mongolia nuclear weapons, or parts or components thereof, as well as nuclear waste or any other nuclear material specially designed or produced for weapons purposes.

4. Mongolia welcomes the following texts, which constitute the elements on which Mongolia's nuclear-weapon-free status is based:

(a) The statement concerning security assurances for Mongolia as regards nuclear weapons issued on 5 October 2000 by the People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America;

(b) The Joint Declaration of the People's Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America on Mongolia's Nuclear-Weapon-Free Status issued on 17 September 2012.

(Signed) **Od Och**
Permanent Representative of Mongolia to the United Nations

New York, 17 September 2012

**Security Council**

Distr.: General
12 October 2012

Original: English

France, Germany, India, Morocco, South Africa, Togo and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling its resolution 2056 (2012), its presidential statements of 26 March 2012 (S/PRST/2012/7), 4 April 2012 (S/PRST/2012/9) as well as its press statements on Mali and the Sahel of 22 March 2012, 9 April 2012, 18 June 2012, 10 August 2012 and 21 September 2012,

Reaffirming its strong commitment to the sovereignty, unity and territorial integrity of Mali,

Reiterating its serious concern about the insecurity and rapidly deteriorating humanitarian situation in the Sahel region, which is further complicated by the presence of armed and terrorist groups and their activities, as well as by the proliferation of weapons, from within and outside the region, and *expressing* its grave concern about the consequences of instability in the north of Mali on the region and beyond, and *stressing* the need to respond swiftly in order to preserve stability across the Sahel region,

Reiterating its grave concern about the continuing deterioration of the security and humanitarian situation in the north of Mali, the increasing entrenchment of terrorist elements including Al-Qaida in the Islamic Maghreb (AQIM), affiliated groups and other extremist groups, and its consequences for the countries of the Sahel and beyond,

Stressing the primary responsibility of the Malian authorities for ensuring the security and unity in its territory and protecting its civilians with respect for international humanitarian law, the rule of law and human rights and *emphasizing* that any sustainable solution to the crisis in Mali should be Malian-led,

Expressing serious concerns about criminal groups activities in the north of Mali and *recognizing* the urgent need for enhanced cooperation and coordination between the Malian authorities, neighbouring countries and countries of the region, in collaboration with relevant United Nations entities, regional and international organizations as well as bilateral partners, in order to tackle transnational organized crime, including illicit activities such as drug trafficking,

Encouraging the international community to provide support to resolve the crisis in Mali through coordinated actions for immediate and long-term needs, encompassing security, development and humanitarian issues,



Taking note of the letter of the Transitional authorities of Mali dated 1 September 2012 to the Economic Community of West African States (ECOWAS) requesting military assistance to reorganize the Armed Forces of Mali and restore the territorial integrity of Mali, of which the north is occupied by terrorist groups, and combat terrorism,

Taking note of the letter of the Transitional authorities of Mali dated 23 September 2012 to ECOWAS on the conditions for the deployment of ECOWAS troops in Mali and *underscoring* the importance of addressing the actions outlined therein,

Taking note of the letter of the Transitional authorities of Mali dated 18 September 2012 addressed to the Secretary-General, requesting the authorization of deployment through a Security Council resolution of an international military force to assist the Armed Forces of Mali acting under Chapter VII as provided by the United Nations Charter, to recover the occupied regions in the north of Mali;

Taking note of the ECOWAS letter of 28 September 2012 addressed to the Secretary-General requesting a Security Council resolution authorizing the deployment of a stabilization force in Mali under a Chapter VII mandate of the United Nations Charter and further *taking note of* the ECOWAS letter of 28 September 2012 addressed to the African Union to engage with the African Union on fine-tuning the concept, modalities, and means of the deployment of a stabilization force in Mali,

Recognizing the efforts and the leadership of ECOWAS, in coordination with the African Union, on the Malian crisis, as well as the important role played by the United Nations, other regional and international organizations, neighbouring states, countries of the region and bilateral partners in the resolution of the crisis in Mali, and in this regard *calling* for continued coordination,

Looking forward to the meeting of the Support and Follow-up Group on Mali, convened by the African Union in consultation with the United Nations and ECOWAS, in Bamako on 19 October 2012, which aims to clarify the modalities of international support to the Malian Transitional authorities in solving the crisis in the north of Mali,

Condemning strongly the abuses of human rights committed in the north of Mali by armed rebels, terrorist and other extremist groups, including violence against its civilians, notably women and children, killings, hostage-taking, pillaging, theft, destruction of cultural and religious sites and recruitment of child soldiers, *stressing* that some of such acts may amount to crimes under the Rome Statute and that their perpetrators must be held accountable and *noting* that the Transitional authorities of Mali referred the situation in the north of Mali since January 2012 to the International Criminal Court on 18 July 2012,

Acknowledging the steps taken by Mali, including by the signing on 6 April 2012 of a Framework Agreement under the auspices of ECOWAS, towards developing a road map for the restoration of constitutional order, an inclusive national dialogue and the organization of free, transparent, and fair presidential elections within twelve months of the signing of the Framework Agreement,

Determining that the situation in Mali constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the appointment of a Government of National Unity in Mali, *expresses its support* to the work of the Interim president of Mali, Dioncounda Traoré and *urges* the Transitional authorities in Mali to present a detailed road map for transition with concrete steps and timelines and to accelerate efforts towards the strengthening of democratic institutions and the restoration of constitutional order in the Republic of Mali through the holding of timely, peaceful, inclusive and credible elections by the end of the transition;

2. *Reiterates* its demand that no member of the Malian Armed Forces should interfere in the work of the Transitional authorities, *takes note* of the decisions and recommendation by ECOWAS to adopt targeted sanctions in Mali and *expresses its readiness* to consider appropriate measures as necessary;

3. *Calls upon* Malian rebel groups to cut off all ties to terrorist organizations, notably AQIM and affiliated groups, and *expresses its readiness* to adopt targeted sanctions against those rebel groups who do not cut off all ties to terrorist organizations, including AQIM and affiliated groups, recalls paragraphs 20 and 24 of resolution 2056 (2012) and *further decides* that the 1267/1989 Committee shall take decisions on requests of Member States to add to the Al-Qaida sanctions list names of individuals, groups, undertakings, and entities in Mali that are associated with Al-Qaida, in accordance with resolutions 1267 (1999) and 1989 (2011);

4. *Urges* the Transitional authorities of Mali, the Malian rebel groups and legitimate representatives of the local population in the north of Mali, to engage, as soon as possible, in a credible negotiation process in order to seek a sustainable political solution, mindful of the sovereignty, unity and territorial integrity of Mali and *requests* the Secretary-General, as well as neighbouring countries, countries of the region, international and regional organizations and other bilateral partners, to support this Malian political process;

5. *Demands* that all groups in the north of Mali cease all abuses of human rights and violations of international humanitarian law, including targeted attacks against the civilian population, sexual violence, recruitments of child soldiers and forced displacements, and *recalls* in this regard all its relevant resolutions on Women, Peace and Security, on Children and armed conflicts and on Protection of civilians in armed conflicts;

6. *Declares its readiness*, upon receiving the Secretary-General's report referred to in paragraph 7 below, to respond to the request of the Transitional authorities of Mali regarding an international military force assisting the Malian Armed Forces in recovering the occupied regions in the north of Mali;

7. *Requests* the Secretary-General to immediately provide military and security planners to assist ECOWAS and the African Union, in close consultation with Mali, the neighbouring countries of Mali, countries of the region and all other interested bilateral partners and international organizations, in the joint planning efforts to respond to the request of the Transitional authorities of Mali for such an international military force, and *further requests* the Secretary-General, in close consultation with the above-mentioned partners, to submit, no later than forty-five days after the adoption of this resolution, a written report on the implementation of this resolution, including support provided under paragraph 4 and this paragraph, and detailed and actionable recommendations to respond to the request of the

Transitional authorities of Mali regarding an international military force, including means and modalities of the envisaged deployment, in particular the concept of operations, force generation capabilities strength and support financial costs;

8. *Calls upon* the Transitional authorities of Mali to take immediately all the appropriate measures to facilitate the regional and international preparation efforts taken in relation with the objective outlined in paragraph 6 above, *calls upon* Member States, regional and international organizations, to provide coordinated support to these regional and international preparation efforts, including through military training, provision of equipment and other forms of assistance in efforts to combat terrorist and affiliated extremist groups, and *further invites* those Member States and organizations to inform the Secretary-General of their contributions;

9. *Calls upon*, in this context, Member States, regional and international organizations, including the African Union and the European Union, to provide as soon as possible coordinated assistance, expertise, training and capacity-building support to the Armed and Security Forces of Mali, consistent with their domestic requirements, in order to restore the authority of the State of Mali over its entire national territory, to uphold the unity and territorial integrity of Mali and to reduce the threat posed by AQIM and affiliated groups;

10. *Welcomes* the appointment by the Secretary-General of a Special Envoy for the Sahel, who should mobilize international efforts for the Sahel, coordinate the implementation of the United Nations integrated strategy on the Sahel and engage actively in defining the parameters of a comprehensive solution to the Malian crisis;

11. *Decides* to remain actively seized of the matter.



Security Council

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12 October 2012

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Letter dated 12 October 2012 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the open debate of the Council, which will be held on Monday, 15 October 2012, regarding the situation in the Middle East, including the Palestinian question.

(Signed) **Riyad Mansour**
Ambassador
Permanent Observer



**Security Council**

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English
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Letter dated 5 October 2012 from the Chargé d'affaires a.i. of the Permanent Mission of Argentina to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a note from the Minister for Foreign Affairs and Worship of the Argentine Republic (see annex) denouncing the unilateral military activities, including the launching of missiles from the Malvinas Islands, which the United Kingdom of Great Britain and Northern Ireland plans to conduct from 8 to 19 October 2012.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Mateo Estrémé
Minister
Chargé d'affaires a.i.



**Annex to the letter dated 5 October 2012 from the Chargé
d'affaires a.i. of the Permanent Mission of Argentina to the
United Nations addressed to the President of the Security Council**

5 October 2012

I have the honour to write to you concerning an issue that seriously affects the situation of peace in the South Atlantic: the military exercises by the United Kingdom, including the firing of missiles from the Malvinas Islands, which are scheduled to take place from 8 to 19 October 2012.

By conducting these military exercises, which follow those carried out in July 2012, the United Kingdom is demonstrating its continued indifference to the entire international community's call for a peaceful and definitive solution to the sovereignty dispute between the two countries on the question of the Malvinas Islands pursuant to the relevant United Nations resolutions.

In this context, we recall the presentation that the Argentine Republic made to the President of the Security Council, the Secretary-General and the President of the General Assembly of the United Nations on 10 February 2012, alerting them to the increasing British militarization of the South Atlantic. On that occasion, my country denounced the frequent dispatch of military vessels (the destroyer *HMS Edinburgh* is even now sailing towards the South Atlantic), the use of military submarines with the capacity to transport atomic weapons to "patrol" the South Atlantic, the extensive deployment of British military power in the Malvinas Islands and the conduct of air and sea firing practice.

These manoeuvres, which are ongoing, are creating unnecessary tension that constitutes an affront to all the countries of a region that is fully and effectively committed to peace and to negotiation with a view to the settlement of disputes in accordance with international law.

Furthermore, the repeated conduct of these exercises, in addition to being contrary to the pronouncements of the United Nations, shows contempt for the concern expressed not only by the Argentine Republic, but also by the Union of South American Nations (UNASUR) and the Southern Common Market (MERCOSUR), as well as the Ibero-American Summit and the South American and Arab Countries Summit, held on 2 October 2012 in Lima, at which the United Kingdom was specifically requested to refrain from conducting military exercises in the disputed area.

The United Kingdom's permanent seat on the Security Council does not relieve it of its international obligations; what is more, that seat and the privileges that accompany it give the United Kingdom a special responsibility as a guarantor of international peace and security, a responsibility that it abdicates by refusing dialogue with my country and continuing to commit acts such as those described above.

Argentina once again reiterates its permanent and constant willingness to negotiate, in accordance with the provisions of the Charter of the United Nations and the relevant resolutions on the question of the Malvinas Islands, and requests that this note be circulated as a document of the Security Council.

(Signed) **Héctor Timerman**
Minister for Foreign Affairs and Worship



Security Council

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Letter dated 12 October 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit the fourth and final report of the Chairperson of the African Union Commission on the implementation of the mandate of the African Union Mission in Somalia (AMISOM) (see annex).

The report is pursuant to paragraph 21 of Security Council resolution 2036 (2012), by which the Council requested the African Union to keep it regularly informed on the implementation of the mandate of AMISOM.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) **BAN Ki-moon**



Annex**Letter dated 5 October 2012 from the Chairperson of the African Union Commission addressed to the Secretary-General**

In pursuance of paragraph 21 of Security Council resolution 2036 (2012), in which the African Union was requested to keep the Council regularly informed on the implementation of the mandate of the African Union Mission in Somalia (AMISOM), I am pleased to forward herewith the fourth and final African Union Commission progress report on AMISOM (see enclosure).

This report provides an update on the main developments during the period under review, as well as on the deployment of AMISOM and the Mission's efforts in support of the ongoing processes in Somalia. The report concludes with observations on the way forward. In particular, the African Union would appreciate it if the Security Council could authorize a technical rollover of the support package for an additional period of four months, with slight adjustments to take into account pressing issues on the ground. This will enable us to conduct and finalize, in conjunction with the Secretariat, the planned assessment of AMISOM and the Somali defence and security sector, with a view to determining how best the Mission can further support the stabilization of Somalia in light of the recent political and security developments in the country.

I would be most grateful if you could kindly forward the report to the Security Council members for their information and action as may be required. As always, the Commission stands ready to provide any additional information that may be necessary.

I would like, once again, to reiterate the African Union's deep appreciation to the Security Council and to you in particular for the invaluable support being rendered to AMISOM and for the unwavering commitment of the United Nations to the promotion of lasting peace, security and reconciliation in Somalia.

(Signed) Jean Ping

Enclosure

Fourth and final progress report of the Chairperson of the African Union Commission on the implementation of the mandate of the African Union Mission in Somalia pursuant to paragraph 21 of Security Council resolution 2036 (2012)

I. Introduction

1. The present report is submitted pursuant to paragraph 21 of Security Council resolution 2036 (2012). In that resolution, the Council requested the African Union to keep it regularly informed, through the Secretary-General, on the implementation of the mandate of the African Union Mission in Somalia (AMISOM) and progress made with regard to establishing an AMISOM presence in the four Sectors set out in the Mission's Strategic Concept of 5 January 2012; increasing the force strength of AMISOM from 12,000 to a maximum of 17,731 uniformed personnel, composed of troops and personnel of formed police units; and enhancing the effectiveness of the Somali National Security Forces.

2. The report, which is the last to be submitted in accordance with the requirements of resolution 2036 (2012), provides a brief update on the main political and security developments in Somalia during the period under review. It also covers the activities undertaken by AMISOM in furtherance of its mandate. The report concludes with recommendations on the way forward.

II. Main political developments

3. Since my last report (see S/2012/666, enclosure), tremendous progress has been made in the political process in Somalia. In August 2012, the Somali stakeholders completed the remaining milestones for ending the transition, which began eight years ago. As Council members are aware, on 25 July 2012, the 135 traditional elders selected 825 delegates to constitute the National Constituent Assembly, which adopted the provisional Constitution on 1 August 2012. The traditional elders, acting in accordance with the Garowe I and II principles, and supported by the Technical Selection Committee, also nominated the Members of Parliament to form a new Federal Parliament. This body then proceeded to elect its presiding officers and, subsequently, a new President for the country.

4. Although the process of selecting the Members of Parliament was marred by internal clan disagreements, allegations of bribery and intimidation and concerns that the women's quota might not be filled owing to cultural resistance, it still resulted in the desired outcome, namely the formation of the new Federal Parliament. In the face of these concerns, AMISOM, the Intergovernmental Authority on Development (IGAD) and the United Nations Political Office for Somalia (UNPOS) issued, on 9 August 2012, a joint statement in which they condemned the attempts by some individuals to derail the process and warned that those whose actions were found to be undermining the then ongoing efforts would be disqualified from seeking public office and subjected to appropriate action, in line with relevant African Union, IGAD and United Nations pronouncements.

5. Beyond the joint statement, the three entities, which also served as international observers in the Technical Selection Committee, prevailed upon the Somali political leadership, the traditional elders and other stakeholders to rise above their differences and act in the best interest of the Somali people. The members of the Technical Selection Committee were also assured that they could continue their work in an independent and impartial manner, free from intimidation and the fear of reprisals. On the whole, it can be said that the very convening inside Somalia of the National Constituent Assembly, in a context marked by security threats and logistical challenges, constituted an unprecedented achievement for Somalia and its people.

6. Eventually, the Technical Selection Committee, having scrutinized the eligibility of candidates for membership of the new Federal Parliament against the agreed criteria, presented 250 men and women who were sworn in on 20 August 2012. The eldest member of the new Parliament, serving as interim Speaker, chaired the parliamentary sessions that established the procedures to elect a Speaker and two Deputy Speakers and to put in place an electoral committee to supervise the election of the Speaker and the President. On 28 August 2012, a new Speaker, Mohamed Sheikh Osman Jawari, and two Deputy Speakers, Jaylaani Nur Ikar and Mahad Abdalle Awad, were elected.

7. Subsequently, the new Federal Parliament steered the process towards the presidential election, beginning with the establishment of an election commission, the adoption of the criteria for presidential candidates and the nomination of candidates. This was followed by the candidates' presentations of their political programmes to the Federal Parliament on 7 and 8 September 2012. The presidential election was conducted on 10 September 2012, with Hassan Sheikh Mohamud emerging as the winner.

8. I am happy to note that the conduct and outcomes of the election were widely acclaimed to be free, fair and credible. Inside the country, the regional administration of Puntland and Somaliland had also expressed satisfaction and the hope that the outcome of the electoral process would serve as a prelude to peaceful coexistence, security and the establishment of a functional government that would spearhead the election of the next President of Somalia by universal suffrage. The regional States, through IGAD, described the election as a momentous day for the people of Somalia and praised its peaceful nature. The international partners hailed the election as a significant moment for Somalia and an important step towards lasting peace and reconciliation.

9. The inauguration ceremony of President Hassan Sheikh Mohamud was held in Mogadishu on 16 September 2012. In the statement he made on the occasion, the President outlined his immediate priorities. These revolve around security improvement, national reconciliation, social service delivery, economic development and justice. He also stressed that he would reach out to armed opposition groups and continue the process of dialogue with Somaliland initiated by his predecessor.

10. Significantly, the inauguration ceremony was witnessed by several members of the international community. In particular, mention should be made of the presence of representatives of the countries of the region, namely Ismaïl Omar Guelleh, President of Djibouti; Haile Mariam Desalegn, then Acting Prime Minister of Ethiopia; Moses Ali, Third Deputy Prime Minister of Uganda; and Nafie Ali Nafie,

Assistant to the President of the Sudan. I also attended the inauguration ceremony, during which I applauded the former President of the Transitional Federal Government, Sheikh Sharif Ahmed, for the role he had played in the country's political process and for accepting the outcome of the election. I called on the Somali people and stakeholders to stay the course and forge ahead with their objective of achieving lasting peace and security, national healing and reconciliation, service delivery and development. I also assured them of the African Union's continued commitment to do its utmost to support them in their efforts.

III. Evolution of the security situation

11. The period under review has witnessed further progress on the ground as the Somali National Security Forces and AMISOM continued to expand their areas of control. While Al-Shabaab has been significantly weakened, it still retains the ability to strike. The attempt made on the life of the President on 12 September 2012 at Al-Jazeera Hotel, where he was conferring with the Minister for Foreign Affairs of Kenya, attests to this threat.

12. In Sector 1 (Banadir, Lower and Middle Shabelle), following the capture of the strategic town of Balaad, the Somali National Security Forces and AMISOM gained control of Km 50, which was used as a base for the operations that subsequently made it possible to seize Sha'amboti and the strategic seaport of Marka. On 4 September 2012, the Somali National Security Forces and AMISOM captured the seaport of Elman within the Balaad district. Cordon and search operations were also conducted in the areas of Eelasha Biyaha and Lafoole, which harbour Al-Shabaab elements that continuously carry out attacks against positions of the Somali National Security Forces and AMISOM. The threat dynamics in Sector 1 will continue to pose a danger to AMISOM and the Somali forces owing to a lack of force multipliers and overstretched communication lines.

13. Significant progress has also been made in Sector 2 (Lower and Middle Juba) during the reporting period. In the first half of September 2012, the Somali National Security Forces and AMISOM seized the towns of Miido, Harbole and Bibi on the road between Afmadow and Kismayo. Somali and AMISOM forces then proceeded to secure the town of Jana Abdallah on 17 September 2012. Finally, on 28 September 2012, the operation to capture Kismayo, a key hub for Al-Shabaab's funding, was launched. The city came under the control of AMISOM and the Somali forces on 30 September 2012. The capture of Kismayo highlighted the critical role of maritime assets and capabilities in the ongoing campaign. Indeed, the complex operation that led to the capture of Kismayo involved patrols along the coast, as well as an amphibious assault on the beaches of the city. At the time of finalizing this report, preparations were under way to expand the operations of AMISOM and the Somali forces to Jilib and Jamame. While fleeing Kismayo, Al-Shabaab planted numerous explosive devices and destroyed local infrastructure such as markets, water points and schools. Many civilians, fearful of being caught up in the crossfire, fled the city.

14. The Somali National Security Forces and the Ethiopian National Defence Forces have registered further gains in Sector 3 (Gedo, Bay and Bakool). As indicated in my earlier report, important towns in Gedo, Bay and Bakool have been liberated. However, the vastness of the area and the peculiarities of the terrain have

allowed Al-Shabaab to establish a presence in some villages. Furthermore, AMISOM has deployed 1,060 troops from Burundi and Uganda to this sector. In the coming weeks, additional troops will be redeployed from Sector 1.

15. In Sector 4 (Galgadud and Hiraan), while Al-Shabaab has been pushed out of Beletweyne and Mataban districts, it maintains a presence in the southern and western districts. AMISOM has deployed 235 soldiers and 35 vehicles from Djibouti in Beletweyne. The deployment of the main body of the Djibouti contingent to Beletweyne should be finalized by the end of October 2012. The first convoy of the Djibouti contingent-owned equipment left on 29 September 2012 and is expected to arrive on 5 October 2012. The Ethiopian National Defence Forces, which maintain a presence in Beletweyne, are providing support to the troops from Djibouti. This sector continues to receive large numbers of Al-Shabaab operatives, thus raising the threat level, including the threat of improvised explosive devices, with possible destabilizing effects for Sector 1.

16. As indicated in my last report, following the liberation of Marka in Sector 1, Kuday natural port in Sector 2 and Kismayo, the town of Baraawe is now the main source of revenue for Al-Shabaab and a critical node for its supply line. The poorly monitored maritime corridor from Yemen to Somalia also remains a conduit for the flow of foreign fighters and material support for Al-Shabaab.

17. Al-Shabaab has recently changed its overall structure, making it much leaner and better able to undertake asymmetric warfare. The group has established four regions, each under an overall commander, with a striking resemblance to the AMISOM sector disposition, with the exception of Mudug (Puntland), Hiraan and Galgadud, which have all been brought together, highlighting the growing importance of these three regions for Al-Shabaab. Al-Shabaab has relocated much of its manpower and equipment to areas such as Bulo-Burte (Hiraan) and Golis Mountain (Puntland), where the Somali National Security Forces and allied militia have a limited presence. It should also be noted that the group's media platform remains an effective tool for the recruitment of fighters and the mobilization of funding for its activities. In view of the movements of Al-Shabaab, the African Union is envisaging to work with IGAD member States on a joint border patrol and control initiative to stem the flow of foreign fighters and other criminals.

IV. Deployment of the African Union Mission in Somalia

18. Since my last report, three civilian personnel have been recruited and deployed to reinforce the civilian component at the Mission headquarters, in Mogadishu. This deployment brings the total number of civilian personnel working in Mogadishu to 21. Their duties include key operational functions, such as mission management and planning, political affairs, civil affairs, humanitarian liaison and public information, and key mission support functions. Another 46 civilian personnel still operate from Nairobi, handling mainly issues relating to procurement and finance. They will be relocated to Mogadishu once the United Nations Support Office for the African Union Mission in Somalia (UNSOA) completes the required office and accommodation facilities.

19. The rotation of troops continues to be conducted according to the operational benchmarks endorsed by the Military Operations Coordination Committee at its first meeting on 9 March 2012. This is being done with the active support of UNSOA.

20. During the reporting period, 1,000 Burundian troops were redeployed from Mogadishu to Baidoa. The deployment exercise was completed on 9 August 2012. These new troops joined the 60 military personnel from Uganda in Sector 3, who had been deployed there since April 2012. The Sector Commander from Burundi assumed duty on 12 April 2012 and is coordinating military operations with the Ethiopian National Defence Forces contingent in the area. Furthermore, steps are being taken for the redeployment of 1,440 Ugandan troops from Mogadishu to Sector 3 through the Afgoye-Baidoa corridor. The ultimate objective is to allow for the opening of the corridor and movement of major equipment and supplies to Sector 3 by road. This expansion to Baidoa is not without its logistical challenges, especially in terms of water supply for AMISOM troops. Nevertheless, commendable efforts are being made by both AMISOM and UNSOA to ensure that the major equipment and the initial sustainment package are in place and that the expanded support package will continue to be delivered as the security situation allows.

21. The contingent-owned equipment for the Sierra Leonean contingent was shipped from Freetown on 8 September 2012 and arrived in Mombasa on 2 October 2012. The deployment of the Sierra Leonean contingent will be completed by November 2012. The contingent will be deployed through Kenya to allow the personnel to take possession of their equipment before being inserted into Sector 2 by land.

22. With regard to the deployment of air assets, an advance party composed of 85 personnel arrived in Mogadishu on 2 August 2012. On 12 August 2012, four Ugandan military helicopters (three attack and one utility) started their movement to Mogadishu through Kenya with seven crew members each. They were expected to arrive in Mogadishu by 13 August 2012. However, the operation could not proceed as planned, since three of the helicopters crashed in the vicinity of Mount Kenya on their way to Somalia. Against this background, the African Union, in coordination with UNSOA, is considering alternative options to allow for quick deployment of either military or civilian helicopters which have both logistical and medical evacuation capabilities. Uganda has also indicated its willingness to deploy replacement helicopters.

23. The expanded AMISOM Force headquarters has been operationalized in accordance with the decision of the 306th meeting of the African Union Peace and Security Council. Seventy-five staff officers out of the planned 85 have assumed duties. As indicated in my previous report, all Sector Commanders have been deployed, with the exception of the Commander of Sector 4, who will be in place once the deployment of the Djiboutian contingent is completed. The Military Operations Coordination Committee has so far met six times. At the sixth meeting, held on 21 September 2012, the Committee discussed AMISOM operational issues in the context of the post-transition environment in Somalia. The Committee recommended a review of the AMISOM deployment upon the completion of the current expansion operations, by the end of October 2012.

24. Progress has also been made in enhancing the role of the police component of AMISOM, especially with regard to capacity-building and operational support to the Somali Police Force. I am pleased to report that the two formed police units, as authorized by the African Union Peace and Security Council and endorsed by resolution 2036 (2012), have now been deployed in Mogadishu. The Ugandan unit

was deployed in August 2012, while the Nigerian unit arrived on 16 September 2012. On 17 September 2012, these units conducted robust flag march patrols to reassure the local population about their commitment to supporting the Somali Police Force in the maintenance of law and order. A number of patrols and other related operations have since been conducted. Together with the Somali National Security Forces and the military component of AMISOM, the formed police units contributed to the escorts and guard duties during the inauguration and sessions of the Federal Parliament and the election of the President. The units are also facilitating the institutional capacity-building activities carried out in support of the Somali Police Force, as well as the expansion of its operations to other liberated and Government-controlled areas. The level of the individual police officers remains unchanged at 91, but is expected to increase to 180 by the end of October 2012, while the authorized strength of 260 individual police officers, which is provided for in the Strategic Concept, will be achieved by November 2012.

V. Support to stabilization and governance in liberated areas

25. Somalia is a federal State, and this is enshrined in the newly adopted provisional Constitution. However, fundamental issues related to federalism remain unresolved, in particular the relationship between Somaliland, Puntland and the rest of Somalia, a plethora of self-declared states and semi-autonomous regions, and issues regarding boundaries delineation and revenue collection. Social services delivery at local government levels is also still a challenge.

26. The new Federal Government and AMISOM are expected to play a key role in the stabilization of the liberated areas, especially in the absence of local governance structures. In this respect, the Federal Government is in the process of implementing the national strategy on stabilization and reconciliation in line with the national security and stabilization plan, which was adopted on 8 August 2012. As part of this process, the Federal Government, supported by UNPOS and AMISOM, is rolling out a project on the establishment of district and regional security committees. Efforts by the new Federal Government, with the support of AMISOM, are also under way to facilitate the provision of basic services to the population.

VI. Management of disengaged combatants

27. The national security and stabilization plan has assigned AMISOM, among other stakeholders, with important responsibilities in respect of activities for disengaged combatants prior to disarmament, demobilization and reintegration. The mechanisms outlined in the plan to manage the disengaged combatants are yet to be established. There are an estimated 3,000 former combatants, many of whom have defected from Al-Shabaab ranks in recent operations. The management of disengaged combatants is critical for the security and stabilization of Somalia.

28. AMISOM is working with the Somali National Security Agency to manage the current caseload of defectors. The defectors have been registered, and there is an urgent need to provide them with shelter and basic sustenance. At the moment, 800 defectors are camped in Marina (Mogadishu), Afgoye (Lower Shabelle), Arbis (Lower Shabelle), Maslah (Middle Shabelle) and Hiilweyne (Middle Shabelle). Some of them have been reunited with their families and communities, with plans to

provide them with vocational training. For the long term, AMISOM is working with UNPOS and relevant agencies, including the United Nations Development Programme, the United Nations Children's Fund and the International Organization for Migration, towards the development of a legal framework and standard operating procedures to guide the Mission in the handling of disengaged combatants, in consultation with the Somali authorities. Building on these initiatives, AMISOM, in consultation with all stakeholders, is developing a pilot project to be implemented in Afgoye. The processes and procedures developed in this project will then be replicated in other liberated areas.

VII. Support to the Somali National Security Forces

29. The process of reforming and restructuring the Somali National Security Forces is crucial for the long-term stabilization of Somalia. AMISOM is committed to providing training support to the National Security Forces, in addition to operational guidance and mentoring. The team of staff officers from the East African Standby Force deployed to AMISOM Force headquarters has assisted the Somali authorities in reorganizing the National Security Forces into two divisions of three brigades, composed of three infantry battalions each. One of these divisions has taken part in operations with AMISOM and has conducted itself credibly. This interim reorganization is a short-term solution which should be concurrent with the design and development of the future Somali forces. AMISOM is doing everything practicable to support the National Security Forces in discharging their responsibilities of providing for the safety and security of citizens. Nevertheless, financial and logistical constraints, as well as the amorphous command and control structure of the National Security Forces, are adversely affecting their effectiveness.

30. Most of the liberated areas in south-central Somalia are now in the hands of clan militias that are tenuously linked to the National Security Forces. If the process of reconstituting the security forces marginalizes the militias, there could be clashes pitting them against the new Federal Government. In view of this, the reform and restructuring of the National Security Forces must be approached cautiously to ensure the inclusivity of the process.

31. The adoption of the national security and stabilization plan through a presidential decree on 8 August 2012 was a positive step. The plan focuses on strategic policy issues relating to security and rule of law, including justice. It encompasses various institutions, civilian and military, that are vital to national security in Somalia, including the Ministry of Defence, the Ministry of the Interior and National Security, the Ministry of Justice and various other bodies that fall under them, such as the defence forces, the police, the National Security Agency, the custodian corps and immigration authorities. The plan identifies priority actions for each of the above institutions. Those actions are required to put in place security, justice and rule of law institutions that are capable of ensuring the maintenance of law and order in Somalia once AMISOM has withdrawn — the ultimate exit strategy.

32. The national security and stabilization plan recognizes the role of AMISOM in the stabilization of Somalia, but it also emphasizes the importance of national ownership of the comprehensive and broad-based security sector development. While this remains a long-term endeavour, it is necessary for the international

community to provide the Somali National Security Forces with immediate combat supplies and stipends. As previously reported, the African Union assisted in the drafting of a document on the empowerment of the Somalia security and justice sectors, which was endorsed by the Transitional Federal Government. This includes the immediate requirements for the integration and sustenance of the Somali National Security Forces. The African Union Commission is planning to initiate consultations with the new authorities on the document before submitting it to the African Union Peace and Security Council and subsequently the Security Council of the United Nations.

33. With regard to capacity-building for the Somali Police Force, the AMISOM police component, on the basis of a comprehensive training needs assessment, has developed a training package for the Somali Police Force, including a refresher course to prepare newly promoted police lieutenants for duties as station commanders in the liberated areas of Somalia; public order training in consultation with the Angola National Police and the Italian Carabinieri; a search-seize-dispose of explosives course to prepare the police to effectively perform duties in close protection and general law and order maintenance; and a number of training packages in areas such as gender-based violence, child rights and protection in conflict and post-conflict environments, training of trainers, community policing, traffic management and basic criminal investigation courses. AMISOM is also involved in mentoring and advising the Somali Police Force on basic police duties, such as human rights observation, crime prevention strategies, community policing and search procedures.

VIII. Protection of civilians

34. The protection of the civilian population in the AMISOM areas of operation remains of particular concern. The number of internally displaced persons moving into the areas liberated by the Somali National Security Forces and AMISOM continues to increase, especially as the Mission expands its area of operations. This situation took on greater proportions following the operations in Afgoye and Marka, and was similarly noted during the operation to seize Kismayo. The African Union is working to strengthen its capacity to monitor protection risks, threats and vulnerabilities, and to ensure that civilian protection considerations are mainstreamed into the Mission's activities. In this regard, AMISOM has taken steps to strengthen the utilization of public information prior to and during the conduct of military operations, an approach which contributed to civilian protection during operations aimed at securing Afgoye. Valuable lessons are being drawn from this experience, and AMISOM aims to fully utilize public information strategies in a similar manner in the conduct of future operations.

35. Efforts have also been made to ensure the implementation of the Mission's indirect fire policy, which greatly contributed to minimizing civilian casualties and collateral damage during the conduct of recent operations. Reports of collateral damage during operations are noted and appropriate follow-up is conducted. AMISOM also continues to work towards the establishment of a civilian casualty tracking, analysis and response cell, as outlined in Security Council resolution 2036 (2012). While the establishment of the cell will no doubt contribute to the reduction of civilian casualties during the conduct of AMISOM military operations, such a

mechanism must be tailored to the evolving context of AMISOM operations and will require significant resources to operate successfully.

36. In light of the increasing use of asymmetrical tactics by Al-Shabaab and the still limited ability of the Federal Government to effectively extend governance and rule of law to the liberated areas, the civilian population in Somalia continues to face a broad range of risks, threats and vulnerabilities. This situation highlights the need for strengthened coordination among all protection actors in Somalia. For its part, the African Union will continue to engage the Somali authorities to ensure that this issue is given the requisite level of attention. To this effect, AMISOM will establish a dedicated protection, human rights and gender section in the coming months.

IX. Humanitarian and community support

37. The prolonged conflict in Somalia has caused the destruction of public infrastructure, including health, education and other services. In such a degraded environment, people, particularly vulnerable groups such as children, women, the disabled and the marginalized, bear the biggest brunt of the conflict.

38. AMISOM is mandated to facilitate the delivery of humanitarian assistance in Somalia. Accordingly, AMISOM works towards the establishment of safe corridors for the delivery of humanitarian assistance to the needy by the various actors operating in areas secured by the Mission. Furthermore, AMISOM supports local non-governmental organizations in training vulnerable groups, especially youths and women, in basic health and sanitation issues.

39. In view of the dire need for humanitarian assistance and the limited presence of humanitarian actors in Somalia, AMISOM also makes efforts to complement the work of humanitarian actors by providing safe and clean drinking water and health-care services to the civilian population in its areas of operation. In addition, AMISOM has extended support aimed at facilitating the functioning of medical service providers. This included the provision of electricity generators to the Banadir Hospital in Mogadishu, as well as working with the office of the Mayor of Mogadishu to rehabilitate four water wells in the Hamarweyne, Hamarjabjab, Wadajir and Dharkenley districts of the capital, with funding support from the Government of Sweden.

X. Engagement with Somali civil society, media and diaspora

40. During the recent elections, many Somalis felt involved, through their representatives, in this remarkable political achievement. The process also generated unprecedented national and international scrutiny and attention, including from members of the Somali diaspora, who demonstrated massive support for the peace process and are now returning in large numbers to contribute to the rebuilding efforts, especially in Mogadishu. The African Union will establish a mechanism to engage with the Somali diaspora in supporting the new Federal Government and in contributing towards peacebuilding initiatives across the country.

41. AMISOM has continued to engage the civil society through consultative meetings. Somali civil society organizations are involved in activities aimed at

raising awareness of the opportunities arising from the improvement of the security situation and the new political dispensation. Clearly, there is need to strengthen the capacity of the civil society to promote reconciliation at local and national levels and bridge social service delivery gaps.

42. AMISOM is cognizant of the use of the media by armed opposition groups to influence the Somali population. Accordingly, the Mission will continue to develop and utilize appropriate and effective media strategies to counter this negative influence. This will involve activities such as capacity-building in support of Somali journalists, in collaboration with the Ministry of Information, local and international media.

43. In view of the failure to achieve the quota of 30 per cent of seats allocated to women in the new Federal Parliament, more considered attention should be given to the role, full participation and representation of women in the Somali peace process. In line with the applicable universal and regional instruments relating to women's rights and their participation in political and State-building processes, it is important to provide the new Federal Parliament and the new Government with the necessary support to develop gender-responsive legislation, policies and actions that will eventually enhance Somali women's visibility and contribution and transform cultural prejudices against this key component of the population. In this regard, AMISOM will support the Government's efforts to operationalize the African Union Gender Policy and Security Council resolution 1325 (2000) on women and peace and security.

XI. Observations

44. The period under review was marked by remarkable progress in Somalia. The political and military landscape has witnessed a turnaround that few could have expected, given the multiplicity and complexity of the challenges to be overcome. In the two-decade-long conflict experienced by their country, never have the Somalis been so close to realizing their aspiration to peace, security and reconciliation. The Somali stakeholders and people deserve to be commended for the achievements recorded and praised for the maturity and commitment they have displayed over the past few months to complete the transition. While a lot has been achieved, the tasks ahead will be even more demanding. It is therefore critical that they remain steadfast and continue to put the interest of their country above any other consideration.

45. The Somali authorities will soon be articulating their priorities and action plan for the next four years. In this regard, I urge the international community to extend full support to the Somali authorities to enable them to meet the even more demanding and complex tasks ahead.

46. AMISOM has been instrumental in creating an enabling environment for the advancement of the political process and the efforts at economic revitalization in Mogadishu and in some parts of south-central Somalia. The men and women who serve under AMISOM, and their Somali brothers in arms, have demonstrated undeniable courage and commitment. The gains recorded on the ground were achieved thanks to the huge sacrifices they have made. The AMISOM troop- and police-contributing countries should once again be commended for their exemplary commitment and spirit of solidarity, in the service of peace, security and

reconciliation in Somalia. Equally, it is important to pay tribute to IGAD and the regional leaders for their leadership and steadfastness. In particular, the role and contribution of the late Prime Minister Meles Zenawi of Ethiopia can never be overstated. As we mourn him, I have no doubt that we can continue to rely on Ethiopia's leadership, as chair of IGAD and neighbour of Somalia, and the personal commitment of Prime Minister Haile Mariam Desalegn.

47. In order to more effectively respond to the changing political situation and to support the Federal Government in meeting the needs of the population, the African Union, working together with the United Nations, intends to undertake a thorough assessment of AMISOM and how best it can contribute to the stabilization of Somalia, in the light of the gains made on the ground and the challenges ahead. This process is expected to start in the next few weeks and to be concluded in the coming months, taking into account the results of the strategic review currently being conducted by the United Nations in relation to Somalia for the period 2012-2016. The outcome of the assessment of AMISOM will be submitted to the African Union Peace and Security Council and subsequently to the Security Council of the United Nations.

48. The planned assessment of AMISOM will also address the issue of the funding of the Mission. It is to be recalled that the European Union provides the resources needed for the payment of troop allowances and other related expenses, within the framework of the African Peace Facility. The European Union has indicated that funds available in 2013 for the payment of troop allowances, on the basis of the current United Nations-authorized strength of 17,731, amount only to 70 million euros. This will cover the required payments for just the first five months of 2013, while other requirements of the Mission will not be catered for, in particular operational costs for the civilian staff and other related expenses. As we reflect on the future of AMISOM and the important contribution it is making to the furtherance of peace, security and reconciliation in Somalia, it is important to bear in mind this major constraint and to give due consideration to the need to improve the predictability and sustainability of AMISOM funding mechanisms.

49. In the meantime, I would like to request that the Security Council authorize a technical rollover of the current support package for four additional months, until February 2013. Some slight adjustments would be necessary in order to take into account pressing issues on the ground. These relate, on the one hand, to the need to further enhance the AMISOM civilian component. Indeed, as the Mission expands its footprint into areas where the presence of international partners and other actors is extremely limited, it is important that AMISOM be empowered to support the Federal Government's stabilization and local reconciliation efforts. This will make it possible to consolidate the military gains and create the necessary conditions for an enhanced international presence, including that of relevant United Nations agencies. To that effect, I would like to request the Security Council to authorize the extension of the United Nations logistical support package to cover the deployment of an additional 50 civilian personnel across the Mission area. Currently, the support package is limited to only 20 civilian personnel.

50. The second urgent need relates to the maritime component of AMISOM. As Council members are aware, the Joint African Union-United Nations Strategic Concept highlighted the importance of this component in preventing Al-Shabaab from benefiting from illegal maritime trade or piracy, and in addressing challenges

on land and at sea comprehensively. In this respect, the enhanced Mission headquarters was to focus initially on conducting limited maritime operations and establishing specific coordination arrangements aimed at (a) protecting AMISOM forces; (b) improving situation awareness; and (c) denying key coastal and inland ports and harbours to Al-Shabaab. However, the support package, as authorized, fell short of the recommendations contained in the Strategic Concept. Considering the critical role of naval assets for the effective implementation of the AMISOM mandate and the stabilization of Somalia, I call upon the Security Council to urgently revisit the issue and to favourably consider the African Union's request in respect of the maritime component.

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**Report of the Secretary-General on the United Nations
Integrated Mission in Timor-Leste (for the period from
7 January through 20 September 2012)****I. Introduction**

1. The present report is submitted pursuant to Security Council resolution 2037 (2012), by which the Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 31 December 2012. It covers major developments in Timor-Leste and the implementation of the Mission's mandate from 7 January through 20 September 2012. It also includes my recommendations on the way forward for UNMIT and the Government of Timor-Leste to finalize preparations for the Mission's withdrawal consistent with the situation on the ground and the views of the Government concerning the post-UNMIT United Nations role in the country. My Special Representative for Timor-Leste, Ameerah Haq, led the Mission until 9 June, when Finn Reske-Nielsen, who previously served as my Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, became my Acting Special Representative. They were assisted by my Deputy Special Representative for Security Sector Support and Rule of Law, Shigeru Mochida. UNMIT continued its "one United Nations system" approach, consistent with its integrated strategic framework.

II. Political developments since 7 January 2012

2. The Technical Secretariat for Electoral Administration of the Government of Timor-Leste effectively organized two rounds of the presidential election on 17 March and 16 April and the parliamentary election on 7 July, with the National Electoral Commission supervising the electoral process. They were characterized by high voter participation of 73 to 78 per cent, a calm security environment, and acceptance of results by all candidates, political parties and the general population. As a result of the elections, the former Commander of the Timorese armed forces (Falintil-Forças Armadas de Defesa de Timor-Leste (F-FDTL)), Taur Matan Ruak, who ran as an independent, was sworn in as the new President on 20 May, and the new Parliament was inaugurated on 30 July. Four parties won seats in the 65-member Parliament: Congresso Nacional de Reconstrução de Timor-Leste (CNRT), 30 seats; Frente Revolucionária do Timor-Leste Independente (Fretilin), 25 seats; Partido Democrático (PD), 8 seats; and Frenti-Mudança (FM), 2 seats. Quotas



established in electoral legislation resulted in women assuming 38 per cent of the seats (25), the highest in the Asia-Pacific region.

3. With no party winning an absolute majority, CNRT, PD and FM entered into a coalition to form the new Government. On 8 August, the members of the new Government were sworn in by President Taur Matan Ruak, including CNRT President Kay Rala Xanana Gusmão as Prime Minister, 16 Ministers (two women), 12 Vice-Ministers and 26 Secretaries of State. Fretilin became the opposition party and has not challenged the legitimacy of the new Government, in contrast with the situation in 2007 (see S/2007/513, para. 4); it continues to actively participate in and contribute to parliamentary debates. On 14 September, Parliament endorsed the five-year programme of the Fifth Constitutional Government presented by Prime Minister Xanana Gusmão following a three-day debate that was broadcast live on national television and radio.

4. During the respective campaign periods, totalling almost two months, the candidates and political parties travelled extensively throughout the country hosting rallies, holding community dialogues and conducting door-to-door campaigning. These activities took place in a calm environment, with no serious campaign-related security incidents. During the campaigns, candidates frequently referred to the need for continued peace and stability and encouraged responsible participation by their supporters. Complaints of alleged misconduct were channelled through the appropriate regulatory and legal mechanisms. National and international electoral observation groups (comprising over 2,500 observers for each election), including from the Association of Southeast Asian Nations (ASEAN) Regional Forum, the Community of Portuguese-Speaking Countries and the European Union, issued generally positive assessments of the elections, although some expressed concerns regarding the regulation of campaign financing.

5. In addition to successfully carrying out these electoral processes, in 2012, the Timorese authorities organized large-scale celebrations to mark several historic events. On 20 May, Timor-Leste celebrated the tenth anniversary of the restoration of its independence at a ceremony attended by a number of high-level regional and international dignitaries, including the Presidents of Indonesia and Portugal and the Governors-General of Australia, New Zealand and Tuvalu, as well as my Special Adviser on Myanmar; the day also marked the transfer of power from then President José Ramos-Horta to the new Head of State (see para. 2 above). On 30 August, the thirteenth anniversary of the popular consultation was celebrated at a ceremony at the Government Palace in Dili, at which President Taur Matan Ruak emphasized that the key to Timor-Leste's victory had been the unity and resolve of [its] people and appealed to all to work together in earnestness, honesty and a spirit of sacrifice, to alleviate poverty and to use the wealth of the nation to build a better, more prosperous country for the sons and daughters of Timor-Leste.

6. The Government also marked International Women's Day on 8 March with a number of events, including a celebration at the Dili Convention Centre at which the Prime Minister and my Special Representative highlighted the importance of women's participation in national development processes and the empowerment of rural women. Various ministries received awards recognizing their achievements in implementing gender-mainstreaming policies and strategies over the previous five years. On 6 February, as part of activities in advance of International Women's Day, Parliament held an extraordinary session to launch the Report on the National

Conference on Reproductive Health, Family Planning and Sex Education (see S/2010/522, para. 45), which was finalized with support from the United Nations Population Fund (UNFPA) and other United Nations agencies.

7. I had the pleasure of visiting Timor-Leste on 15 and 16 August, shortly after the formation of the new Government, and met with President Taur Matan Ruak, Prime Minister Xanana Gusmão, President of Parliament Vicente Guterres, Fretilin Secretary-General Mari Alkatiri and other leaders and stakeholders. I also addressed Parliament, attended the Fragility Assessment Workshop hosted by the Ministry of Finance (a component of the New Deal for Engagement in Fragile States) and visited the Police Training Centre and the new Museum of the Resistance. In highlighting my new global Education First initiative, I delivered a lecture to students from the National University of Timor-Lorosa'e and engaged with primary school students to emphasize the importance of quality, relevant and inclusive education. Throughout my visit, I underlined the significant progress made by Timor-Leste in many spheres over the past decade and since the 2006 crisis, including the maintenance of a stable security environment, the resumption of all policing responsibilities by the Polícia Nacional de Timor-Leste (PNTL) in March 2011, and the successful conduct of the 2012 elections. I encouraged an inclusive approach in consolidating gains and in addressing challenges, including in the socioeconomic realm, in furtherance of Timor-Leste's commitment to democratic governance, the rule of law and building a secure and stable future. I also welcomed the establishment of a team composed of staff from the Government, the Office of the President and the Parliament to come to a joint position on the post-UNMIT United Nations engagement and reiterated that Timor-Leste can count on the Organization's continued steadfast support. All the Timorese leadership and other interlocutors expressed their gratitude for the support of the United Nations over the years.

A. Support for dialogue and reconciliation

8. My Special Representative and Acting Special Representative continued their good offices through regular meetings with the President, the Prime Minister, the President of Parliament and the Secretary-General of Fretilin. Among the main issues discussed were the preparations for and conduct of the elections, support for strengthened capacity-building and institutional development of PNTL, and the ongoing transition process and planning for the UNMIT drawdown. They also continued to host meetings with representatives of all political parties, women political party representatives and civil society representatives. During the election periods with heightened political activity, they consistently stressed the importance of constructive and responsible political participation and emphasized that successful elections could be a defining milestone in the country's recovery from the events of 2006. My Deputy Special Representative for Security Sector Support and Rule of Law continued to meet with the Secretaries of State for Security and for Defence to discuss, respectively, policing and broader security sector issues, particularly UNMIT's capacity-building support in the priority areas of the PNTL-UNMIT Police Joint Development Plan.

9. At a 28 February event organized by the National Electoral Commission prior to the beginning of the presidential election campaign with over 1,000 participants, 12 of the 13 presidential candidates (with Francisco Xavier do Amaral absent for

health reasons) and 22 of the 24 registered political parties signed a national-level pact pledging to abide by all electoral laws and regulations, promote human rights and gender equality, and respect the election results. Beginning with a traditional ceremony with elders from all 13 districts, the event culminated in a debate among the 12 presidential candidates moderated by the President of the Commission, which was broadcast on national television and radio. As part of the Commission's programme to prevent conflict and strengthen peace during the electoral period, the national pact was preceded by similar pacts and peace ceremonies in all 13 districts, which demonstrated an impressive commitment to ensuring peace and stability during the electoral period.

10. To further facilitate grass-roots dialogue and civic participation, leaders from district administrations and villages organized 45 democratic governance forums throughout the country between 7 January and 20 September, with UNMIT support. Fostering the active engagement of 2,785 participants (569 women), the forums focused on such topics as ensuring peaceful elections, citizens' expectations of their elected officials, and their own contributions to the country.

B. Enhancing democratic governance

11. The electoral management bodies successfully carried out the legal, operational and logistical processes necessary for credible elections. The Technical Secretariat for Electoral Administration conducted an update of the voter registration list from 2 to 18 May and organized two rounds of the presidential election and the parliamentary election within a four-month period. This required the recruitment and training of about 8,800 polling officials, who worked at 640 polling stations. The oversight body, the National Electoral Commission, deployed about 700 officials to the districts to monitor campaigning and supervise the work of the Technical Secretariat.

12. An integrated team of 170 personnel from UNMIT and the United Nations Development Programme (UNDP) provided support to the Technical Secretariat and the National Electoral Commission, including 130 United Nations Volunteers who focused on operational planning, voter and civic education, capacity-building and logistics. UNMIT also provided limited air transport of electoral officials and materials to inaccessible areas on election days. However, the extent of United Nations support was much less than for the 2007 elections, since the capacities of the electoral management bodies have increased significantly.

13. There were various outreach initiatives targeting specific segments of the population to encourage participation in the electoral processes, which were supported by the United Nations Children's Fund (UNICEF), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), UNMIT and UNDP (see S/2012/43, para. 11). The electoral management bodies organized discussions and produced media products to highlight the importance of participation by young people and first-time voters, including posters, radio and television spots, and brochures for secondary school students, with support from UNICEF. For the first time, the Technical Secretariat for Electoral Administration also produced media products to encourage persons with disabilities to vote. The Secretariat of State for the Promotion of Equality and civil society organizations

conducted a range of activities targeting women voters, including the first series of nationally televised debates among women parliamentary candidates in June.

14. The Decree Law on Integrated District Development Planning was promulgated on 6 February and defines the rules on jurisdiction, planning, implementation and funding for the execution of State projects at the district and subdistrict levels, which will help to ensure that the State budget is invested in areas identified as priorities by districts and subdistricts. The United Nations Capital Development Fund and UNDP assisted with planning, financial management, procurement and implementation procedures associated with the plans.

15. Efforts to strengthen anti-corruption processes continued. On 22 June, Timor-Leste's executive summary of its self-assessment review on the implementation of the United Nations Convention against Corruption was adopted at a meeting of the Implementation Review Group of the Convention in Vienna; Timor-Leste became the fourth of 41 States parties under review in 2011 to publish it. The executive summary presented various recommendations, including to explore ways that would allow for more expeditious investigations; to consider including in the draft anti-corruption law provisions to address gaps or enhance the effectiveness of the current laws on, inter alia, the protection of whistle-blowers and experts; and to include in the curriculum of the Legal Training Centre specialized modules on international cooperation on criminal matters relating to corruption. UNMIT and UNDP continued to support the Anti-Corruption Commission, including by providing technical advice through the Convention review process. On 28 and 29 March, a workshop was organized by the Global Organization of Parliamentarians against Corruption and UNDP for parliamentarians and civil society representatives to provide substantial knowledge about the Convention and encourage more active involvement in the formal self-evaluation process. During the reporting period, the Anti-Corruption Commission submitted 14 completed investigations to the Office of the Prosecutor-General; 7 others are ongoing. On 8 June, the Dili District Court convicted and sentenced the then Minister of Justice to five years in prison and a compensation payment of \$4,350 for unlawful conduct in the process of a procurement contract. The Minister subsequently submitted an appeal.

16. UNMIT also supported the establishment of professional associations for accountants and engineers on 31 March and 27 July respectively, which aim to promote the standardization of accounting and engineering procedures and qualifications. UNMIT hosted the steering committee meetings of both associations, provided interim secretariat services, and facilitated links with regional and international professional organizations focused on these areas.

17. A number of the benchmarks of the medium-term strategy (see S/2009/72, para. 47) relating to a culture of democratic governance and dialogue have largely been met, but sustained political will over the long term will be required to ensure that the progress achieved is further consolidated and built upon. Constitutional rights and guarantees for all citizens are being promoted; checks and balances among the four pillars of sovereignty are provided for in the Constitution and relevant legislation; the Civil Service Commission has issued a code of ethics that applies to all public servants; and an overarching anti-corruption legal framework has been established, although a draft anti-corruption law needs to be submitted to Parliament. (The earlier draft law was considered by the previous Parliament but not approved.) The independent media sector is active, although journalists need

additional capacity-building support and training (see S/2012/43, para. 14). While the law establishing the Audit Chamber of the High Administrative Tax and Audit Court was approved on 6 July 2011 and its staff have been recruited and trained (*ibid.*, para. 15), it has not yet become fully operational. In the meantime, capacities and mechanisms for the oversight and transparency of public expenditure have increased, including through the Government's establishment of web-based transparency portals.

C. Maintenance of public security

18. The security situation in the country remained stable and the reported crime rate continued to be low. Offences relating to assault and domestic and gender-based violence continued to constitute the majority of reported crimes, with the highest number in Dili District. No significant incidents relating to martial arts groups have been reported to police since the suspension of their activities on 22 December 2011 (*ibid.*, para. 18).

19. As mentioned above, the presidential and parliamentary elections were held in a generally peaceful and orderly atmosphere. Throughout the electoral process, PNTL provided the necessary security, with UNMIT police available in a support role. Following a nationally televised CNRT conference on 15 July, some incidents of public disorder, mainly stone-throwing and roadblocks, broke out in Dili and Viqueque Districts. UNMIT police supported PNTL operations to deal with certain incidents, including through the deployment of formed police units, and the security situation returned to normal in these districts in less than a week. During one of the incidents on 16 July in Dili District, a 19-year-old male was allegedly shot by a PNTL officer and subsequently died (see para. 38 below). The officer was suspended and is facing disciplinary and criminal proceedings.

20. Overall, public confidence in PNTL has grown, although the manner in which PNTL officers have handled certain incidents has contributed to some continuing negative perceptions. Although community policing is enshrined in PNTL organic law as a guiding principle, the implementation of community policing approaches varied widely during the reporting period and often depended on the commitment of the respective PNTL District Commanders. Incidents resulting in allegations of excessive use of force by PNTL officers or inappropriate use of firearms (see paras. 37-39 below) also affected public trust. The PNTL Department of Justice, which is responsible for disciplinary investigations, continued to face a number of challenges, including human resources limitations. Efforts continued to be made by the Government and PNTL to improve its disciplinary investigation capacities, including through the PNTL Strategic Development Plan 2011-2012, the PNTL-UNMIT Police Joint Development Plan, the PNTL/UNMIT Police/UNDP Joint Programme on Strengthening National Police Capacity in Timor-Leste (2011-2012) (see S/2012/43, para. 22), and the Joint Transition Plan of the Government and UNMIT.

21. UNMIT police activities concentrated on support for further institutional strengthening and capacity-building of PNTL, in accordance with the PNTL-UNMIT Police Joint Development Plan (see S/2011/641, para. 26), while PNTL continued to be responsible for the conduct of all police operations. Pursuant to the 26 March 2011 exchange of letters between the Government and UNMIT and a

standing request from the PNTL General Commander (*ibid.*, para. 8), UNMIT police provided continuing operational support in several areas, including close protection, joint patrols and border policing. Following the planned progressive drawdown, as at 20 September 2012, 1,149 officers (90 women) were deployed as part of the UNMIT police, 490 of them in formed police units (2 women). Of the latter, 287 officers were deployed in Dili.

22. UNMIT police continued to conduct joint patrols with and provide support and advice to the PNTL Border Patrol Unit at the five border crossing-points with Indonesia. UNMIT military liaison officers continued to facilitate effective working relationships between the border security agencies of Timor-Leste and Indonesia and to monitor the security situation along the border and throughout Timor-Leste. Close liaison with international security forces continued.

23. An important development in border security and harmonious cross-border relations was the inauguration on 4 February of the first integrated border post at Batugade in Bobonaro District and a traditional market, which was attended by the then President, the Prime Minister and the Ambassador of Indonesia to Timor-Leste. The post consists of several co-located border control agencies, including immigration and customs, to facilitate the movement of people and goods. Integrated border posts were also opened in Oecussi and Covalima Districts on 28 June and 26 July respectively.

D. Support for and institutional strengthening of security institutions

24. UNMIT police support continued to focus on the implementation of activities in the five priority areas of the Joint Development Plan (legislation, training, administration, discipline and operations) (see para. 21 above), while also providing operational support if so required and requested. The Joint Evaluation Team, chaired by the PNTL General Commander and the UNMIT Police Commissioner, continued to meet monthly to review progress reports on the implementation of the Plan and to ensure that appropriate action was being taken to address remaining gaps. As at 20 September, UNMIT police had completed 451 of the 559 training and capacity-building activities (81 per cent) outlined in the Plan. Some notable achievements included the establishment of a forensic laboratory, the development of PNTL job descriptions and staffing tables, and the creation of armoury and archiving databases. In addition, PNTL officers attended a total of 11,634 training sessions in the areas of legislation, discipline, administration, human rights, gender awareness, domestic violence law, petty cash management, arrest procedures, public order management, leadership, supervision, close protection, information technology, map reading, command and control, armoury management, forensics and intelligence-gathering. The PNTL General Commander and the UNMIT Police Commissioner reported on progress in the implementation of the Joint Development Plan to the High-level Committee on Transition at its meetings on 2 February, 27 April and 10 August.

25. Other training-related UNMIT initiatives included support for PNTL desktop and live exercises in preparation for the elections, and technical support to the ongoing recruitment of PNTL officers. High-level PNTL/UNMIT police working groups (see S/2012/43, para. 22) continued meeting to review administrative and legislative policies and procedures, although at a slower pace owing to operational

priorities during the electoral process. The PNTL/UNMIT Police/UNDP Joint Programme on Strengthening National Police Capacity in Timor-Leste (2011-2012) continued to be implemented, with a particular focus on supporting PNTL in the areas of legislation, discipline, administration and training (*ibid.*). Under the project, UNMIT police activities undertaken included PNTL infrastructure improvements, training courses and the provision of basic equipment. With additional funding secured, the project was extended until December 2012 to provide support to PNTL in such areas as discipline, internal audit, asset management, criminal investigation, community policing and vehicle fleet maintenance, thereby expanding to cover all Joint Development Plan priority areas, including operations.

26. The Office of the Secretary of State for Security continued to manage the case files of the 199 PNTL officers who had pending criminal or disciplinary issues when they were certified by the Secretary of State for Security on 28 December 2010 (see S/2011/641, para. 29). As at 20 September, 135 cases had been closed with no disciplinary or criminal sanctions imposed that would affect the officers' qualifications for promotion; 49 cases were pending disciplinary, criminal and/or administrative proceedings; seven officers had been dismissed; and eight officers had received disciplinary sanctions and had consequently been denied consideration for promotion. UNMIT continued to monitor the progress of the 49 cases and raised concerns regarding follow-up action with the Office of the Secretary of State for Security.

27. It had been agreed by the Government and UNMIT that any decision on the final reconstitution of PNTL should come after the elections and formation of the new Government (see S/2012/43, para. 23). Further to the agreement between the Prime Minister and my former Special Representative, Ameerah Haq, on the modalities for carrying out the assessment required for the ultimate decision on certification, to be made on the basis of criteria agreed between UNMIT and the Government (as envisaged in the 26 March 2011 exchange of letters), the PNTL General Commander and the UNMIT Police Commissioner established, by a joint directive, a Working Group on Certification comprising PNTL and UNMIT police personnel on 21 June to facilitate the process. As set out in the directive, the Working Group was tasked to evaluate and report on the following three agreed criteria for certification: (a) PNTL's continued exercise of responsibility for police operations, including adequate responses to any public order incidents since the March 2011 resumption; (b) whether the remaining gaps and weaknesses identified in the joint assessments of all districts and units (*ibid.*) are being addressed through the implementation of the necessary arrangements, including through concentrated training and capacity-building activities outlined in the PNTL-UNMIT Police Joint Development Plan; and (c) continued and identifiable progress in the five agreed major areas of the aforementioned Plan (see para. 24 above). In connection with this process, the Working Group was also tasked to present a joint report and recommendations to the PNTL General Commander and the UNMIT Police Commissioner. In undertaking its evaluation, the Working Group followed an approved workplan and conducted interviews based on a questionnaire given to PNTL District and Subdistrict Commanders and Section Chiefs as well as UNMIT Police District Commanders, and performed on-site inspections, record checks and document reviews in all 13 districts in order to complement the received information. The Working Group is currently compiling its report.

28. The agreed final Working Group report will be submitted to the PNTL General Commander and the UNMIT Police Commissioner for a joint written evaluation of whether PNTL should be certified as fully reconstituted and capable of conducting all police functions throughout Timor-Leste on the basis of criteria agreed upon between the Government and UNMIT pursuant to the aforementioned exchange of letters (see S/2011/641, para. 26). The Working Group's report and the joint written evaluation thereof by the PNTL General Commander and the UNMIT Police Commissioner will inform the ultimate decision of the Prime Minister and my Acting Special Representative regarding the full reconstitution of PNTL. This decision on certification of full reconstitution will likely be taken by the end of October 2012. The certification will mark the end of the reconstitution phase and of operational support by the UNMIT police to PNTL. It is planned that the UNMIT police will then proceed with a significant drawdown throughout the month of November.

29. Earlier, a team from the Police Division of the Department of Peacekeeping Operations, led by the Police Adviser, visited Timor-Leste from 21 April to 5 May, and met with various interlocutors, including from the Government and State institutions, PNTL, UNMIT, the United Nations country team and bilateral partners. The focus of the team's visit was to assist the Mission in finalizing the phased police drawdown plan; identify key UNMIT police skills required until the end of the mandate to provide continued support to PNTL; assess progress made in preparation for certification of the PNTL's full reconstitution; and identify any support needed by UNMIT to complete the aforementioned tasks in cooperation with the relevant Government authorities. In its report, the team acknowledged the progress made by PNTL and the remaining weaknesses or gaps to be addressed in each of the five areas of the Joint Development Plan. It also highlighted the need for continued support from bilateral and multilateral partners to PNTL on the basis of nationally owned police development plans to ensure the sustainability of capacity-building achievements.

30. To complement donor coordination efforts, the UNMIT police continued to work closely with PNTL to ensure continued support to partners in strengthening capacity-building and institutional development, especially beyond 2012. In this regard, PNTL, with UNMIT police support, held three "Friends of PNTL" meetings on 7 June, 2 August and 4 September with major bilateral donors, United Nations country team representatives and bilateral and United Nations partners together. It is hoped that the initiative will encourage enhanced coordinated support for PNTL, including efforts to address remaining needs and gaps in the five priority areas of the Joint Development Plan.

31. The PNTL recruited 250 additional cadets (25 women), who began basic training on 1 March. When they complete training in December 2012, the number of PNTL officers will increase to 3,386, including 598 women. Despite the lower number of women selected in the recent round of elections, Timor-Leste continues to have one of the highest percentages of women police officers (18 per cent) in the Asia-Pacific region, which is also important in view of the high rate of reported domestic and sexual violence requiring interaction with women victims (see para. 18 above). On International Women's Day on 8 March, the PNTL and UNMIT police held a ceremony to recognize the role and achievements of women officers in Timor-Leste's policing efforts. Further, PNTL continued to make contributions to United Nations missions in other parts of the world, with two officers serving with

the United Nations Integrated Peacebuilding Office in Guinea-Bissau. In May, an additional 17 PNTL officers (two women) became eligible for potential deployment to United Nations missions.

32. F-FDTL also made additional efforts to strengthen institutional capacities, with support from bilateral partners and UNMIT. The Government proceeded to implement recommendations in the F-FDTL Force Development Plan 2011-2017 (see S/2012/43, paras. 29 and 30), including the establishment of contract, procurement and financial management capacities within F-FDTL. UNMIT military liaison officers provided mentoring to F-FDTL liaison officers prior to their deployment to forward operating bases in Bobonaro and Covalima Districts and to additional bases established prior to the presidential election. F-FDTL was deployed in 9 of the 13 districts during the election period to provide an additional sense of security. As at 20 September, F-FDTL officers remained at those bases to perform civil-military cooperation tasks. UNMIT military liaison officers also assisted in the preparation of two F-FDTL officers to be deployed as military observers to the United Nations Mission in South Sudan in October, when the officer previously deployed will return to Timor-Leste (*ibid.*, para. 27).

E. Support for a comprehensive review of the security sector

33. On 2 May, the Council of Ministers approved the comprehensive security sector review entitled "Securing the future", which was developed with the participation of relevant security institutions and submitted by the Secretary of State for Security. In its press release, the Council noted that the review was the first phase of an ongoing process that will make security sector institutions more efficient and effective, with clearly defined mandates that will allow well-coordinated operations. The draft national security policy was also submitted by the Secretary of State for Security to the Council on 2 May. Following feedback from the ministries concerned, the Secretary of State for Security is currently making revisions to the policy.

34. Subsidiary legislation and/or regulations on civil protection and border management are still being prepared by the Office of the Secretary of State for Security (*ibid.*, para. 28), with UNMIT technical support. The submitted draft Decree-Law on the Regime of Private Security, which regulates private security activity and provides a regime of enforcement and sanctions, was approved by the Council of Ministers on 15 February but was not promulgated by the President owing to the absence of an organic law on the National Directorate for the Security of Public Buildings, which provides oversight of private security companies. With continuing support from the UNMIT/UNDP project on strengthening civilian oversight and management capacity in the security sector (*ibid.*, para. 29) and UNMIT police, a draft organic law was developed to define the structure and functions of the Directorate, which is under review by the Office of the Secretary of State for Security. With project support, the Government also established and equipped the National Centre for Operational Coordination on 29 August, which will lead the coordination of fire and rescue operations. Further, UNMIT provided training to personnel of the PNTL, F-FDTL and a number of Directorates under the responsibility of the Secretariat of State for Security in areas relating to the rule of law, human rights and legislative frameworks. At a ceremony on 3 May, the

Government formally appointed the Director of the National Defence Institute, the establishment of which was supported by UNMIT and UNDP.

35. Further progress was achieved towards meeting the benchmarks of the medium-term strategy in the area of support for security sector institutions. Systems, processes and mechanisms are largely in place for the management of these institutions and to enable them to fulfil their roles as defined in legislation, including PNTL and F-FDTL. Sustained strengthening of the security sector institutions will depend in part on the continued commitment of Government leaders and of the personnel of those institutions to respect human rights, the rule of law and democratic governance principles. At the same time, particular efforts need to be made to further enhance the civilian oversight and accountability mechanisms of PNTL and F-FDTL and other security sector institutions. As the secretariats within the Ministry of Defence and Security and Parliamentary Committee B (Foreign Affairs, Security and Defence) continue to face certain capacity challenges, especially in areas relating to policy development, procurement and finance (see S/2010/85, para. 57), further attention and support is needed to address such challenges.

36. Earlier concerns about the need to ensure clear delineation between the roles and responsibilities of PNTL and F-FDTL and the risk of possible tensions among their members (see S/2006/628, paras. 31-33 and 62), have diminished, although these issues will require the continuing attention of the Timorese leadership. In public comments during the electoral period, the Commander of F-FDTL consistently maintained that F-FDTL would play only a supporting role to PNTL, underlining that the latter is the entity responsible for internal security. Furthermore, F-FDTL Commander General Lere Anan Timur and PNTL General Commander Monteiro maintained regular weekly meetings, contributing to mutual understanding and collaboration. With the increasing number of personnel at the two institutions and their likely increased interaction as F-FDTL officers are deployed to more districts, it will be important to ensure continued strong coordination and cooperation between the two entities with civilian oversight.

III. Promotion of human rights and justice

A. Support for the monitoring, promotion and protection of human rights

37. During the reporting period, UNMIT received allegations of 47 cases of ill-treatment or excessive use of force by members of PNTL and 13 cases by members of F-FDTL. Of the 47 cases involving PNTL members, 10 involved the alleged discharge of a firearm by a member, including 4 when off duty and not permitted by law to carry firearms. Two of those 10 incidents involved civilians allegedly shot by PNTL officers: one on 16 July in Hera, Dili District, resulting in a civilian death (see para. 38 below), and the other on 1 June in Caibada, Baucau District, resulting in the injury and hospitalization of three civilians. Seven of the 47 cases involved alleged illegal entry, search or arrest by PNTL; 4 of the 13 cases involving F-FDTL members were in this category. On 1 April, a group of nine uniformed F-FDTL members allegedly unlawfully searched and ill-treated a male in Covalima District, causing him to be hospitalized. The case is under criminal investigation.

38. Prosecutions of incidents involving alleged unlawful acts by PNTL and F-FDTL members progressed during the reporting period. A key witness gave a statement to the Office of the Prosecutor-General in the shooting death of a civilian allegedly as a result of gunfire by PNTL officers in Viqueque District on 3 June 2007 (see S/2011/32, para. 33). On 24 February, in a decision later upheld by the Court of Appeal, the Dili District Court sentenced a PNTL officer to 10 years' imprisonment for homicide and attempted homicide relating to a shooting incident in Dili on 28 December 2009, which resulted in the death of a civilian and injury to another (see S/2012/43, para. 31). As regards the 16 July incident mentioned in paragraph 37 above, criminal and disciplinary procedures were opened against one PNTL officer who was temporarily suspended for 90 days for allegedly shooting and killing an unarmed 19-year-old male in Hera, Dili District, on 16 July. Other PNTL officers alleged to have also been involved in the incident are under disciplinary and criminal investigation. On 23 August, the Suai District Court sentenced a PNTL officer to four years' imprisonment for negligent homicide in relation to the shooting death, while off duty, of a 19-year-old woman at a party in Bobonaro District on 5 November 2011 (*ibid.*, paras. 17 and 31) and ordered his temporary suspension from PNTL for the duration of his sentence. On 22 June, the Court released a second PNTL officer who had been arrested and held in pretrial detention for the same incident; his case was closed without formal charges being filed. On 20 April 2012, the Office of the Prosecutor-General indicted six F-FDTL soldiers in relation to the incident in Lautem District on 27 August 2010 that resulted in the death of a civilian and injuries to others (*ibid.*, para. 31), with three of the officers charged with homicide and all six with simple assault. The trial was scheduled to begin on 21 September.

39. UNMIT also documented, and raised with the PNTL Department of Justice, instances of PNTL officers refusing to open disciplinary investigations against other officers without a written complaint from the victim(s) concerned despite the fact that a complaint by the victim is not required by law. PNTL has identified strengthening its Department of Justice as one of its priorities under the PNTL-UNMIT Police Joint Development Plan.

40. There was limited progress with respect to holding accountable the persons responsible for crimes and serious violations of human rights during the 2006 crisis. As at 20 September, final judgements had been rendered in seven cases, resulting in nine convictions and 43 acquittals, and four cases had been closed. On 1 June, the Dili District Court opened the trial involving the 14 individuals indicted in connection with the arson of the Da Silva family house on 25 May 2006, which resulted in the death of six relatives of the then Minister of Interior Rogério Lobato (see S/2011/32, para. 35). On 21 February, Parliament commenced article-by-article debate on the draft laws on reparations and on the follow-up institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship (see S/2012/43, para. 34). The debate was postponed after a walk-out by parliamentarians from various benches and a lack of quorum in the subsequent scheduled sessions on 27 and 28 February; no debate on the draft laws was held thereafter.

41. The Ministry of Social Solidarity strengthened its child protection services by providing training on care planning, psychosocial counselling, trauma and recovery, and family reintegration for its child protection officers and staff of residential care facilities for children, in cooperation with UNICEF, as well as human rights training

for its protection officers, in cooperation with UNMIT and Save the Children. With support from UNICEF and UNMIT, the National Commission on the Rights of the Child persisted in its efforts to raise awareness of children's rights and sensitization on child protection through events to celebrate International Children's Day and during the election period, targeting political leaders, teachers, families and children. On 18 April, the Council of Ministers approved a Government resolution on the National Policy for Inclusion and Promotion of the Rights of Persons with Disabilities. During the reporting period, some incidents of intimidation and threats by community members against activities of members of a Protestant church in Ritabou village, Bobonaro District were reported (see S/2011/641, para. 38).

42. Timor-Leste actively engaged with international human rights mechanisms, with technical assistance provided by UNMIT to the Ministry of Justice. On 16 March, the Human Rights Council adopted the outcome of the universal periodic review on Timor-Leste (see A/HRC/DEC/19/115; S/2012/43, para. 35). The Government of Timor-Leste accepted, *inter alia*, recommendations to ratify additional international human rights treaties and to report on the status of implementation of treaties already ratified. On 21 June, the Special Rapporteur on extreme poverty and human rights presented the report on her mission to Timor-Leste (13-18 November 2011) to the Human Rights Council, with recommendations for the country to focus on implementing social and economic policies that ensure inclusive and equitable growth and development for all the population, including with regard to the institutional and legal framework, improving access to justice, education, health and land rights, and strengthening the social protection system (A/HRC/20/25/Add.1; see S/2012/43, para. 37). On 5 March, the Working Group on Enforced or Involuntary Disappearances presented the report on its visit to Timor-Leste (7-14 February 2011) to the Human Rights Council (A/HRC/19/58/Add.1). In the report, the Working Group acknowledged the many efforts that Timor-Leste had made since its independence despite the challenges it faced, including in bringing about a process of national reconciliation, but considered that more remained to be done to achieve the right to truth, justice and reparation for those who disappeared and their families. In March and June 2012, the Government of Timor-Leste made statements to the Human Rights Council regarding the reports on the universal periodic review and the visit of the Special Rapporteur; civil society organizations also actively engaged with the mechanisms, with the support of UNMIT.

43. During the reporting period, the Office of the Provedor for Human Rights and Justice recruited 32 new staff (17 women) to strengthen capacity at its Dili headquarters and regional offices (see S/2011/641, para. 42). It monitored the human rights situation during the elections, with technical support from UNMIT, and shared its observations in a report released to the public on 19 July. A group of four new legal advisers (three women) at the Office of the Provedor underwent a three-month training course on international human rights law with other legal advisers from the Ministry of Justice and the Office of the President, which was facilitated by UNMIT. Additional support continued to be provided through a joint programme of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNDP aimed at strengthening the Office of the Provedor. Despite continuing capacity-building requirements, the Office of the Provedor functioned as an independent and effective institution to protect and promote human rights, thus meeting the related medium-term strategy benchmark.

44. Under the supervision of the Office of the Prosecutor-General, the UNMIT Serious Crimes Investigation Team continued its investigations into cases relating to crimes against humanity and other serious crimes committed between 1 January and 25 October 1999. As at 20 September, investigations into 311 of the 396 outstanding cases (79 per cent) had been concluded, including 61 during the reporting period.

45. UNMIT continued to give high priority to the zero-tolerance policy on sexual exploitation and abuse, including through the provision of conduct and discipline training and sexual exploitation and abuse awareness programmes at its four regional offices. In continuing its awareness programme during the reporting period, the HIV/AIDS Unit provided HIV/AIDS-related training to 653 staff (115 women) of UNMIT and United Nations agencies.

B. Support for capacity-building and strengthening of the justice system

46. According to statistics released on 12 September by the Office of the Prosecutor-General, 2,269 criminal cases were processed between 1 January and 31 August 2012. With 1,991 new criminal cases registered, there were 4,742 pending cases as at 31 August. Operational improvements in case management practices continued with the implementation of the integrated case management system, supported by UNDP and bilateral partners, which is aimed at facilitating cooperation among the Office of the Prosecutor-General, the Office of the Public Defender, the National Directorate for Prison Services and Social Reintegration, PNTL and the courts (see S/2011/641, para. 45). The system is expected to extend, in the next phase, to the Office of the Provedor for Human Rights and Justice.

47. On 29 May, the Council of Ministers approved the National Action Plan on Gender-Based Violence. The development of the Plan was led and coordinated by the Office of the Secretary of State for the Promotion of Equality, with support from a multi-sector national drafting committee, UNDP, UNFPA, UN-Women, UNICEF, UNMIT and the International Organization for Migration (IOM). It entailed a one-year process of broad consultations to ensure the support of various ministries, State institutions, civil society actors and other stakeholders necessary for its implementation. The Plan focuses on three strategic areas of intervention: prevention of gender-based violence, provision of services to victims and access to justice for victims.

48. During the reporting period, pieces of draft legislation concerning certain critical areas, including draft laws relating to juvenile justice and access to the courts as well as land and property rights, remained to be adopted and/or promulgated, with some gaps remaining in the regulatory framework. There were notable developments in the corrections area, supported by UNMIT and UNDP, including the promulgation, on 29 February, of the Decree-Law on the Special Career Regime and Statute of Prison Guards and subsequent completion of specialized training for the prison guard staff of the National Prison Service on the treatment of prisoners and conflict resolution. The first version of standard operating procedures for the National Prison Service was completed, covering such areas as administration, case management, inmate rights, security, health and discipline, with the National Directorate for Prison Services and Social Reintegration establishing working groups to lead discussions on the text. An

analysis of the current situation in prisons to review compliance based on the United Nations Standard Minimum Rules for the Treatment of Prisoners was also undertaken, with UNMIT and UNDP support.

49. Improving access to justice for all segments of the population remains one of the major challenges in the sector. The limited number of public defenders, lack of a comprehensive legal aid regulatory framework and lack of availability of donor funding for legal aid services beyond August (with discussions ongoing as at 20 September) have hindered access, particularly for the most vulnerable groups. Continued training courses for judges, prosecutors, public defenders and private lawyers and other efforts by the Legal Training Centre, supported by UNDP, have helped to address human resources-related capacity gaps, including with the graduation of the first seven private lawyers on 4 July. However, the Centre itself still faces considerable constraints, including as regards human resources and technical and strategic management capacities, resulting in continued dependence on international personnel for certain expertise. Continued support for strengthening national expertise and capacities is thus required. With the support of UNMIT and UNFPA, various initiatives were undertaken to enhance access to justice for victims of domestic and gender-based violence and strengthen accountability for such crimes, such as the integration of gender-based violence investigative skills in the curriculum of the Police Training Centre and a related two-week training course for PNTL officers (30 May to 12 June), as well as the launching of a manual for legal aid lawyers on addressing gender-based violence in Timor-Leste. To facilitate enhanced public confidence in the formal justice system, the Ministry of Justice placed greater focus on public outreach and advocacy, including through a UNDP-supported series of justice-related broadcasts on UNMIT's weekly radio programme and a number of "Taking justice to the people" outreach sessions in various communities.

50. As reflected above, further progress was made towards meeting the objectives and benchmarks of the medium-term strategy in the areas of rule of law, justice and human rights. However, additional efforts are particularly needed to address challenges relating to accountability mechanisms, traditional justice and the implementation of certain laws. Justice sector accountability mechanisms need to be further strengthened, including through efforts to enhance the work of the Superior Councils for the Judiciary, the Public Prosecution Service and the Public Defender, and of the Management and Discipline Council for the Practice of Law. The development of codes of conduct for judges, prosecutors, public defenders and private lawyers is pending. As regards the benchmark for a legal framework which takes into account traditional justice mechanisms that adhere to basic principles of the administration of justice and human rights standards, the reconciliation of traditional and formal justice systems will require more time to address, particularly in terms of handling domestic and gender-based violence. Implementation of certain key laws, such as the Law against Domestic Violence, as well as related monitoring mechanisms, could be enhanced. Considering that investigations into 85 outstanding cases of serious crimes had not been completed by the Serious Crimes Investigation Team as at 20 September (see para. 44 above) and that it is projected that, by the end of the mandate on 31 December, about 20 additional cases will be completed, the related benchmark will not be met by December 2012.

IV. Support for the national priorities programme, socioeconomic development and humanitarian assistance

A. Support for the national priorities programme process

51. Following the conclusion of the national priorities programme in December 2011 (see S/2012/43, para. 43), the Ministry of Finance organized a post-national priorities lessons learned workshop on 12 April 2012, supported by UNMIT and the World Bank. The aim of the workshop was to evaluate lessons drawn from the 2008-2011 programme and to formulate recommendations for the integration of a fragility spectrum paradigm, adopted by the Group of Seven Plus (g7+) fragile States, in a new framework for the implementation of the Timor-Leste Strategic Development Plan for 2011-2030 and the Millennium Development Goals. At the workshop, the Minister of Finance also demonstrated the newly launched Timor-Leste Aid Transparency Portal, an innovative web-based system that is accessible to the public and provides information on disbursed funds and activities by donors, foreign aid projects, and reports on public development spending. Future development efforts will be guided by the Strategic Development Plan and the five-year programme of the Fifth Constitutional Government endorsed by Parliament on 14 September (see para. 3 above), which highlights the development of social capital, infrastructure development, economic development and job creation, and consolidation of the institutional framework as priorities.

52. Following the endorsement of the New Deal for Engagement in Fragile States (see S/2012/43, para. 44), the Government and the Ministry of Finance initiated a number of activities to promote its implementation. On 25 to 27 January, in its capacity as Co-Chair, the Government held a technical meeting of the Group of Seven Plus fragile States, facilitated by the Group's secretariat with UNMIT support, with the objective of developing an action and implementation plan. The meeting focused in particular on how to consolidate the endorsed peacebuilding and State-building goals and develop relevant indicators and strategies to implement the goals at the country level; it also oversaw the establishment of working groups in order to refine the Group's definition of fragility and the fragility spectrum that will be used to help pilot the New Deal in Timor-Leste and six other countries. In addition to participating in the meetings of the International Dialogue on Peacebuilding and State-building (see S/2010/522, para. 44), held in Copenhagen and Nairobi in March and June respectively, at which the New Deal process was further discussed, the Government set up a New Deal Implementation Task Force for Timor-Leste, in which UNMIT participates and provides technical support. As a pilot country, Timor-Leste also embarked on a national fragility assessment to develop country-level indicators for measuring progress within the framework of the New Deal's fragility spectrum, and the Prime Minister and Minister of Finance hosted a Fragility Assessment Workshop on 15 August, which I addressed (see para. 7 above). In recognition of Timor-Leste's remarkable achievements and contributions as Co-Chair of the International Dialogue on Peacebuilding and State-building (see S/2010/522, para. 44) and the outstanding role of the Minister of Finance, Emilia Pires, I appointed her as a member of my High-level Panel of Eminent Persons on the Post-2015 Development Agenda on 31 July.

B. Socioeconomic development

53. According to the Ministry of Finance, the economic growth rate in Timor-Leste remained high at about 11 per cent. The inflation rate was also high, at about 11 per cent from January to May (the latest data available from the National Directorate of Statistics). The causes of inflation were varied and included rising food prices, appreciation of the currencies of major trade partners, a higher level of aggregate demand mainly fuelled by State expenditure, and constraints on the supply of goods and services. According to the Central Bank of Timor-Leste, as at 31 July, the Petroleum Fund had reached \$10.6 billion.

54. The fifth meeting of the Timor-Leste development partners was hosted by the Government on 15 and 16 May under the theme "A Nation Moving Forward — Handover Achievements, Challenges and Opportunities for the Future". Delegations from 16 countries and other stakeholders, including UNMIT and United Nations agencies, participated in the meeting, and discussions were broadcast live on television and radio. Since it was the last meeting to be held by the Fourth Constitutional Government, Prime Minister Xanana Gusmão reflected, in his keynote address, on Timor-Leste's 10 years of State-building, including progress made and future challenges and opportunities, and underlined the importance of reconciliation and capacity-building of communities as key elements in the process. The closing of the meeting was marked by a handover ceremony, during which handover reports were presented by each Minister and Secretary of State, as well as by development partners (including United Nations agencies) and civil society, to the Prime Minister to support a smooth transition to a new Government after the parliamentary election.

55. The Government continued or initiated several programmes to address the needs of infants and children. Supported by UNICEF, the Ministry of Social Solidarity began the preparation of a policy for a comprehensive, integrated child and family welfare system, which involved extensive consultations with local communities in four districts. The policy is not yet finalized. In addition, a policy on the establishment of child protection networks at the subdistrict level was approved by the Ministry of Social Solidarity on 29 May. With UNFPA support, the National University of Timor-Lorosa'e, provided training to increase the number of qualified midwives in the country and upgraded equipment at its Midwifery School and renovated the skills laboratory (officially opened on 3 September). As part of this training, on 15 June, 25 midwifery clinical instructors completed a course on clinical teaching skills in order to supervise students deployed to health facilities. Also with UNFPA support, the Ministry of Education finalized a curriculum on adolescent sexual and reproductive health for pre-secondary and secondary schools.

56. Addressing unemployment continued to be one of the main priorities of the Government. The Secretariat of State for Professional Training and Employment, with the support of the World Food Programme and the Food and Agriculture Organization of the United Nations, continued work projects in rural communities, including relating to feeder roads, forestry and irrigation systems. These projects engaged a total of 14,730 individuals (51 per cent women). Other labour-intensive programmes promoted by the Secretariat ensured routine maintenance for more than 2,887 kilometres of road and provided more than 2.2 workdays of short-term employment to 78,422 people in rural areas. With support from the International Labour Organization, the Secretariat also made considerable achievements in the

areas of skills development and employment promotion. This included the development of a National Strategy for Employment in Timor-Leste, which was considered by the Council of Ministers on 18 January.

57. Progress continued to be made towards meeting the objectives and benchmarks of the medium-term strategy relating to socioeconomic development, although Timor-Leste continued to face substantial challenges in this area, including in terms of sustained improvements in livelihoods and increasing employment opportunities in rural areas and for young people. Poverty remains one of Timor-Leste's greatest challenges and the Government has intensified efforts to tackle it in the context of its five-year programme, which identifies the development of social capital, economic development and job creation among the priorities (see paras. 3 and 51 above). Average income in urban areas has been increasing, although there are large wage differentials between Dili and the rest of the country. According to the Timor-Leste Demographic and Health Survey 2009-2010, between 2003 and 2010, there were decreases in the rates of under-5 child mortality from 83 per 1,000 live births to 64; infant mortality from 60 per 1,000 live births to 45; and child mortality from 23 per 1,000 live births to 20. Malnutrition remained high, with more than 58.1 per cent of children under the age of five presenting symptoms of being stunted (low height for age) and 44.7 per cent being underweight.

C. Humanitarian assistance

58. There were no major humanitarian incidents or disasters during the reporting period. Timor-Leste's National Directorate for Disaster Management continued efforts to strengthen the Government's integrated disaster management response policies and framework to enhance preparedness for any future humanitarian challenges (see S/2012/43, para. 50). In this regard, the Directorate initiated a comprehensive national hazard profile on natural disasters as part of a joint programme between UNDP and the National Directorate for Disaster Management to be implemented between 2011 and 2013, including a study of risk analyses of hazard-prone areas. The programme's overall objective is to strengthen disaster risk management capacities at the national and district levels. The medium-term strategy benchmark in the area of socioeconomic development relating to the return and reintegration of internally displaced persons has been met (see S/2010/85, para. 14; S/2010/522, para. 52).

V. Transition preparation

59. Together with other stakeholders, the Government and UNMIT continued to collaborate and make further progress on the transition process, including in the context of the High-level Committee on Transition (see S/2012/43, para. 51), which held meetings on 2 February, 27 April, 10 August (just two days after the formation of the new Government) and 20 September (see para. 60 below). At the 10 August meeting, chaired by President Taur Matan Ruak and attended by the Vice-Prime Minister, the President of Parliament, various Government ministers and representatives, the PNTL General Commander, the F-FDTL Commander and my Acting Special Representative and the UNMIT senior management team, the Committee reviewed progress in the implementation of the Joint Transition Plan in

each of its focus areas. In conveying continued commitment to the Joint Transition Plan mechanism, the Government confirmed its new focal points for the seven transition focus areas. With respect to the policing area, the PNTL General Commander and UNMIT Police Commissioner gave a presentation on the status of implementation of the activities under the PNTL-UNMIT Police Joint Development Plan (see paras. 21, 24 and 25 above) and discussed the ongoing process to facilitate preparation for certification of the full reconstitution of PNTL as well as the UNMIT police drawdown plan and the projected end of operational support to PNTL by 31 October (see para. 28 above). The monitoring of the Joint Transition Plan for the April-June 2012 quarter showed continued good progress in the implementation of activities, with 83 per cent of the Plan's 129 activities progressing as planned and activities, on average, 68 per cent completed as at 30 June. On behalf of the Government, the Minister for Foreign Affairs indicated that a team had been established comprising staff from the Government, the Office of the President and Parliament to review the options for post-UNMIT arrangements included in the Joint Transition Plan and to come to a joint position.

60. On 20 September, President Taur Matan Ruak chaired an extraordinary meeting of the High-level Committee on Transition to discuss the post-UNMIT United Nations engagement in Timor-Leste, attended by Prime Minister Xanana Gusmão, Acting President of Parliament, various Government ministers and officials, the PNTL General Commander and the F-FDTL Commander, as well as my Acting Special Representative, Finn Reske-Nielsen, and the UNMIT senior management team. At the meeting, the Prime Minister handed to my Acting Special Representative a letter addressed to me presenting the Government's position, following broad consultations, on the post-UNMIT United Nations role in the country (see S/2012/736, annex; paras. 64, 65, 69 and 75 below). In his remarks at the meeting, the Prime Minister emphasized that the United Nations would continue to be an important partner in the new phase of the country's development and that areas of collaboration would be further discussed in the context of the Joint Transition Plan, the Government's five-year programme and the Timor-Leste Strategic Development Plan for 2011-2030.

61. In a further effort to facilitate completion of its mandate and a smooth transition, UNMIT entered into an innovative partnership with four United Nations country team members (UNDP, UNFPA, UNICEF and UN-Women) to carry out particular mandated activities from July to December 2012, with UNMIT financial support and arrangements set out in memorandums of understanding. These partnership arrangements, which relate to activities set out in the Integrated Strategic Framework for Timor-Leste 2011-2012 in the medium-term strategy priority areas of ensuring security and stability, rule of law, justice and human rights, a culture of democratic governance and dialogue, and socioeconomic development, are also in line with my initiative on civilian capacity in the aftermath of conflict (see A/66/311-S/2011/527 and A/67/312-S/2012/645). On 22 February, former President Ramos-Horta and Chair of the United Nations Development Group, Helen Clark, co-chaired a Member States consultation on Timor-Leste, moderated by my former Special Representative, Ameerah Haq, with representatives of the Permanent Missions to the United Nations as well as United Nations agencies, funds and programmes and various departments. At the event, the Minister of Finance presented a portfolio of 34 United Nations country team projects, formulated together with the Government, in support of the consolidation of peace

in Timor-Leste following UNMIT's planned departure. The portfolio covers a three-year period (2012-2014) and requires total funding of approximately \$76 million, or \$25.3 million per year. Since the Member States consultation, the Government and United Nations agencies, funds and programmes have appealed to Member States to provide funding for the portfolio projects.

62. In view of the expected closure of UNMIT, the Mission also scaled up its training activities under its multi-phase capacity-building project in order to enhance the skills of its national staff, including in such areas as administration, vocational training and the English and Portuguese languages, so that they have greater employment prospects after their service with the Mission (see S/2011/641, para. 59). Ninety per cent of the approximately 850 UNMIT national staff have taken one or more courses on offer and, as at 20 September, 340 had completed the Mission's internal certification programme.

63. Following the elections, UNMIT initiated the implementation of a drawdown strategy in August, in consultation with the Government, with the aim of ensuring that the objectives of the Joint Transition Plan will be met within the remaining mandate period. The strategy includes the projected end of the operational support by UNMIT to PNTL on 31 October, the closure of all regional offices by 15 December and the end of air operations on 17 December. As the four regional offices close, the facilities will be handed back to the Government and certain UNMIT equipment will be transferred (mainly items for continued use by PNTL), pursuant to the Financial Regulations and Rules of the United Nations and subject to approval by the General Assembly (see S/2012/43, para. 52). During the liquidation period following the end of UNMIT's mandate, four of the five UNMIT compounds in Dili will also be handed back to the Government and one will be retained by the United Nations country team.

VI. Post-UNMIT United Nations role

64. With regard to the post-UNMIT United Nations engagement, as mentioned in paragraph 60 above, Prime Minister Xanana Gusmão sent a letter dated 20 September 2012 to me (see S/2012/736, annex) expressing the Government's appreciation and heartfelt gratitude to the United Nations for the commitment, solidarity and support given to Timor-Leste from the time of the popular consultation in 1999 up until today and recalling that circumstances as a young and post-conflict country, facing challenges understood so well, justified the establishment of several and different United Nations missions, both to assist the State-building process and to ensure national peace and stability. In this context, he also highlighted the role played by UNMIT in the restoration of internal security and in providing support to the Timorese State to consolidate democracy, improve political dialogue and develop measures to promote tolerance and emphasized that, for that reason, the initial mandate of UNMIT had been extended by the Security Council until December 2012, taking into account the scheduled 2012 presidential and parliamentary elections. The Prime Minister further conveyed that the Government was deeply satisfied to conclude that the assumptions underpinning the drafting of the Joint Transition Plan, which had been approved by both parties on 19 September 2011, had been successfully met, namely: stability had prevailed; general elections had been held in accordance with international standards; the Government had been formed based on the outcome of the elections; and the political opposition had space to operate, in accordance with

democratic principles. In addition, he noted that significant progress had been made in the primary areas identified in the UNMIT transitional process, leading the Government to believe that the overall political and social environment in Timor-Leste was stable and that it was now in a position to assume leadership of the national development process, including consolidation of the building of a democratic State in accordance with the rule of law and the implementation of the Strategic Development Plan for 2011-2030.

65. After recalling the areas in which UNMIT had performed its activities and provided support, the progress achieved in the country, and the broad consultation conducted by the President with the opposition, the National Parliament, the church and civil society, the Prime Minister went on to convey Timor-Leste's position on the post-UNMIT United Nations engagement. He stated that Timor-Leste no longer required United Nations support through the presence of either a United Nations peacekeeping or political mission beyond the end of 2012 and that consequently, there was no requirement for the continued consideration of Timor-Leste affairs by the Security Council. In noting that the United Nations would continue to be an important partner in the new phase of the development of the country, the Prime Minister also stated that, in accordance with the progress achieved by the country and consistent with the principles of the Group of Seven Plus fragile States and the New Deal, Timor-Leste would like to establish with the United Nations an innovative working relationship of cooperation with a focus on institutional strengthening and development.

VII. Financial aspects

66. The General Assembly, by its resolution 66/270 of 21 June 2012, appropriated the amount of \$155.4 million for the maintenance of UNMIT for the period from 1 July 2012 to 30 June 2013. Should the Security Council decide not to extend the mandate of UNMIT beyond 31 December 2012, the cost of the Mission's drawdown and administrative liquidation would be accommodated from within the resources approved by the General Assembly.

67. As at 31 August 2012, unpaid assessed contributions to the Special Account for UNMIT amounted to \$54.5 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to \$3,161.8 million.

68. As at 31 July 2012, amounts owed to former police contributors to UNMIT totalled \$11.9 million. Reimbursement of former police and contingent-owned equipment costs has been made for the periods up to 31 August 2011 and 30 June 2011 respectively.

VIII. Observations and recommendations

69. This has indeed been an encouraging and landmark year for Timor-Leste in many ways, with substantial progress shown in multiple spheres. As mentioned earlier, it has been a year marking several historic milestones, including Timor-Leste's tenth anniversary of the restoration of its independence and the thirteenth anniversary of the popular consultation in 1999 (see para. 5 above). It has also been a year in which Timor-Leste successfully conducted three rounds of elections in a

calm and secure environment. And it has been a year in which Timor-Leste displayed strong leadership, as Co-Chair of both the International Dialogue on Peacebuilding and State-building and the Group of Seven Fragile States in promoting the implementation of the New Deal for Engagement in Fragile States and the achievement of the Millennium Development Goals. In addition, it will be a year with one more milestone — the ending of the United Nations peacekeeping presence in Timor-Leste, where, for more than a decade now, a succession of United Nations operations and missions have worked closely in partnership with the Government and its people to support their efforts to emerge from conflict and focus on building sustainable peace and security, democratic State institutions, and inclusive and equitable socioeconomic development. At the same time, and as I have conveyed to the Timorese leadership, the United Nations embraces the Government's proposal for the United Nations to continue to be an important partner in the new phase of the country's development and to establish an innovative working relationship of cooperation for the post-UNMIT phase focusing on institutional strengthening and development.

70. As expressed during my recent visit, Timor-Leste has made impressive advances during the decade since the restoration of its independence, particularly since the crisis in 2006, which led to the establishment of UNMIT, and my visit to the country in December 2007 (see S/2008/26, paras. 13-14). In 2010, the United Nations technical assessment mission noted that the country had recovered from the 2006 crisis insofar as the immediate challenges had been resolved (see S/2010/85, paras. 21 and 22), including with stability and security restored, the return of about 150,000 internally displaced persons and the closure of all tented camps, and the gradual reintegration of the dismissed F-FDTL "petitioners" into civilian life. The security situation has remained calm and stable since the first post-2006 test of the attacks on the President and the Prime Minister on 11 February 2008 (see S/2008/501, paras. 3 and 4). PNTL exercised responsibility for the conduct of all police operations in Timor-Leste in the past 18 months, and the reported crime rate has remained low, with UNMIT police focusing on further institutional development and capacity-building while providing operational support in certain areas (see para. 21 above).

71. Considerable progress has also been made in strengthening institutional and human resources capacities of other State institutions, including in the security, justice and governance sectors, which were virtually non-existent 13 years ago but now play crucial roles in safeguarding stability and democracy. Parliament serves as a dynamic forum for political debate, with the constructive participation of both governing coalition and opposition parties. It is particularly encouraging that the presidential and parliamentary elections this year were held in a peaceful and orderly manner (with much less United Nations support than in 2007), with high levels of voter participation and acceptance of results by all, leading to the formation of a new Government and the inauguration of a new Parliament. Further, within the framework of the Timor-Leste Strategic Development Plan for 2011-2030 and the Government's five-year programme, increased efforts are being made to improve the daily lives of citizens. All of these remarkable achievements reflect the strong commitment among Timor-Leste's leaders and population to democratic governance, the rule of law and building a secure and stable future. As highlighted during my visit, this progress also demonstrates that Timor-Leste is on a promising trajectory, and it is in this positive atmosphere that the United Nations is preparing

for the withdrawal of UNMIT at the end of 2012 and engaging in discussions on a new form of United Nations engagement to tailor its support to the changing needs of the country.

72. Together with these promising developments, however, Timor-Leste continues to face many challenges, as mentioned above in the overview of progress made in the four mandated priority areas of UNMIT covered by the medium-term strategy (see paras. 8-58). Although a number of the strategy benchmarks have been substantially met, weaknesses and gaps remain, owing in large part to continuing human resources capacity constraints. While it was noted earlier that important progress has been made in the security sector, with laws, regulations and codes that delineate the roles of PNTL, F-FDTL and other security sector institutions in place (see para. 35 above), effective implementation will be critical, including as regards respect for civilian oversight and the rule of law and human rights (see also S/2011/641, para. 36).

73. Further support for developing sustainable national capacities and strengthening State institutions will be required, particularly in the justice and socioeconomic sectors and in PNTL. In the area of justice, continued efforts to strengthen the development of national judicial capacities and expertise will be needed, including through further training for judges, prosecutors, public defenders and private lawyers and enhanced support for the valuable Legal Training Centre (see para. 49 above). Support should also continue to be provided to the Office of the Provedor for Human Rights and Justice. Efforts should focus on measures and ways to enhance access to justice, particularly for vulnerable groups and persons living in rural areas, and to promote accountability, including in respect of crimes against humanity and other serious crimes as well as domestic and gender-based violence, which persists. I also hope that Parliament will resume debate on the draft laws on reparations and on the follow-up institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship.

74. Efforts to tackle socioeconomic challenges and promote equitable and inclusive development throughout the country, especially for persons in rural areas, women and young people, will be a long-term process which the Government is addressing through its five-year programme recently endorsed by Parliament and the Timor-Leste Strategic Development Plan for 2011-2030. It is encouraging that there has been improvement in many human development indicators in recent years, but the more limited progress against some indicators, such as those dealing with malnutrition, underline that continued and enhanced efforts are needed in a number of areas, particularly to ensure the provision of quality education (promoted by my global Education First initiative) and health services, promote rural development and create increased job opportunities for young people. I commend the efforts by Timor-Leste to ensure that the foundation and parameters for sustainable peace and development are nationally driven and that international assistance is responsive to meeting its most pressing needs, as reflected by its role as Co-Chair of the Group of Seven Plus fragile States and its active leadership in promoting implementation of the New Deal for Engagement in Fragile States, including through its self-assessment as a pilot country. UNMIT and the United Nations country team have supported Timor-Leste's efforts to implement the New Deal at the country level, and the United Nations will remain its steadfast partner in the period ahead.

75. In this context, I am pleased to recommend that UNMIT continue to proceed with its phased drawdown through the next three months until the completion of its mandate on 31 December 2012, consistent with the views of the Government as set out in the letter from the Prime Minister addressed to me (see paras. 64 and 65 above) and as envisaged in the Joint Transition Plan. The Prime Minister has also explained that the Government has formed a working group to start discussions with the United Nations on matters identified in the Joint Transition Plan for the post-2012 period and that the National Planning Matrix will be used to evaluate these activities and will be the primary tool utilized when designing post-2012 programmes as an integrated part of the country's budget process. The Prime Minister has indicated that this will ensure a more coordinated, harmonized and strengthened development programme of activities, with the aim of achieving the Millennium Development Goals through the implementation of the Government's five-year programme and the Timor-Leste Strategic Development Plan for 2011-2030. Considering the long-standing support provided by UNMIT and the United Nations country team to Timor-Leste over the past years, including in the context of the Joint Transition Plan signed on 19 September 2011 by the President, Prime Minister and my former Special Representative for Timor-Leste, Ameerah Haq (see S/2011/641, para. 58), I welcome the establishment of the above-mentioned working group and have asked my Acting Special Representative to ensure that the UNMIT senior management team and United Nations country team partners fully collaborate with and engage in discussions with the working group to facilitate its work.

76. In preparation for the anticipated withdrawal of the Mission, planning has been ongoing for the drawdown of UNMIT's police and military personnel as well as its civilian personnel, in consultation with the Government. As mentioned in the above section on the transition process (see paras. 59-63), it is projected that UNMIT police will end operational support to PNTL by 31 October. Following the planned UNMIT police reduction, out of the 1,149 officers deployed as at 20 September (see para. 21 above), it is currently expected that approximately 70 police officers will leave in October, 540 in November and 30 in December. In addition, it is planned that UNMIT's formed police units will be withdrawn during the two weeks following the end of operational support to PNTL, with the Malaysian, Bangladeshi, Portuguese and Pakistani units due to leave on 8, 10, 12 and 14 November respectively. Corresponding to the reduction of respective Mission activities during the remaining mandate period through December, it is planned that UNMIT's international civilian personnel (totalling 332 as at 20 September) will be reduced by approximately 59 staff in October, 81 in November and 132 in December, with about 67 staff to be retained for the liquidation team.

77. I applaud the continued progress in the joint transition process and the close partnership maintained between Timorese and UNMIT counterparts, as well as the progress cited in the implementation of the Joint Transition Plan activities over the reporting period (see para. 59 above). As it is proposed that the Mission be concluded at the end of its current mandate on 31 December, I call on all involved, including the Timorese authorities and other national stakeholders, UNMIT and the United Nations country team, as well as bilateral and multilateral partners, to continue to work together and intensify their efforts to facilitate the effective implementation of the Plan's remaining activities. While I have underlined the importance of achievements that have been made by the leaders and people of

Timor-Leste since 2006, it is critical to continue to support their additional efforts to build sustainable peace and development and promote human rights, so as to preserve the gains made to date.

78. The final certification of the full reconstitution of PNTL, anticipated to take place around the end of October, will mark the progress that PNTL has made since 2006. However, building a professional and impartial police service that respects the rule of law and human rights is a long-term undertaking. While the implementation of the PNTL-UNMIT Police Joint Development Plan will conclude by December with the end of the Mission's mandate, requirements for continued capacity-building and institutional strengthening support, including in respect of PNTL's disciplinary mechanisms, will remain. In this regard, I urge the Government to finalize the review of the 49 cases of PNTL officers with pending disciplinary, criminal and/or administrative issues (see para. 26 above). I also appeal to the Government to ensure that sufficient budgetary funds are allocated to meet PNTL's logistical needs, and encourage donor States and other partners to continue to provide support for PNTL's institutional strengthening, as needed, in the years ahead.

79. In conclusion, I wish to thank my former Special Representative, Ameerah Haq, and my Acting Special Representative, Finn Reske-Nielsen, for their leadership, and all the personnel of UNMIT and the United Nations country team for their efforts in supporting the people of Timor-Leste in advancing peace, stability and development as they proceed in their important journey of State-building. Their resilience and commitment to national unity and working together to build a more prosperous society for all of the population of Timor-Leste serves as an inspiring example for all of us. I also wish to thank the international security forces for their continued support to UNMIT.